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## Senate

The Senate met at 3 p.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.

O God, our Father, in a chaotic and violent world, we look to You as our mighty fortress. Have mercy upon our Nation and world. Help us all to remember how You have led us in the past.

Guide our Senators so that they clearly understand Your desires, and give them the wisdom to obey. Lord, provide our lawmakers with daily strength to honor You with their service. Remind them that they will answer to You for the way they use their talents to serve others.

Inspire all of our hearts to honor You with faithfulness and humility.

We pray in Your sacred 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 legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, June 6, 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.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session and resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of David Crane, of New Jersey, to be Under Secretary of Energy.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### ALL-SENATE AI BRIEFINGS

Mr. SCHUMER. Mr. President, this morning, I released a "Dear Colleague," alongside Senators HEINRICH, ROUNDS, and YOUNG, announcing three Senators-only briefings on artificial intelligence taking place starting in the next few weeks. These bipartisan briefings will culminate in the first-ever classified all-Senate briefing on AI's impact on national security. In fact, all three briefings are the first all-Senators briefings on AI. The briefings will be led by some of the top minds in AI

and will help Senators develop much needed expertise on defining the technological shift of this century.

I urge all my colleagues to attend these briefings because it won't be long before we see AI's dramatic changes in the workplace, in the classroom, in our living rooms, and in virtually every corner of our lives. It is already starting to happen. We must be ready.

These all-Senate briefings are important because elected representatives in the 21st century cannot ignore AI any more than we can ignore national security, job creation, or our civil liberties. AI will permanently impact all these things and more.

The first briefing in the next few weeks will focus on the state of artificial intelligence today. The second briefing will focus on where this technology is headed in the future and how America can stay at the forefront of innovation. The third, our first-ever classified briefing on AI, will focus on how our adversaries will use AI against us, while detailing how defense and intelligence agencies will use this technology to keep Americans safe.

We will share more details on dates, times, and speakers in the coming days, and again, I urge every Senator, Democrat and Republican, to attend all three briefings.

I thank Senators HEINRICH, ROUNDS, and YOUNG for cosponsoring these briefings with me.

The Senate and all leaders have an obligation to deepen our expertise in AI because if we do our jobs correctly, we can ensure AI becomes a remarkable force for human prosperity, while mitigating its very real potential risks.

I look forward to attending these briefings and again thank Senators ROUNDS, HEINRICH, and YOUNG for joining me in this important announcement.

#### NOMINATIONS

Mr. President, now on nominations, after voting to avoid default last week,

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the Senate will focus this week on advancing more of President Biden's key administrative and judicial nominees.

Later today, the Senate will vote to advance the nomination of David Crane to be Under Secretary for Infrastructure at the Department of Energy.

The Under Secretary for Infrastructure is a new role at the DOE, created by the Biden administration and charged with implementing the historic clean energy investments made in our bipartisan infrastructure law.

Once confirmed, Mr. Crane's job will be ensuring our infrastructure dollars translate to lower energy costs, new clean energy manufacturing jobs, and a more resilient energy grid.

Mr. Crane received bipartisan support in the ENR Committee, and I expect that bipartisan support to carry on to the floor.

Also, the Senate will advance the nomination of Dilawar Syed to serve as second in command at the SBA, the Small Business Administration. Mr. Syed is the definition of a highly qualified nominee. His nomination is supported by a broad range of business stakeholders, including the U.S. Chamber of Commerce, and he will have the crucial task of helping tens of millions of small businesses get the resources they need to grow their operations.

The SBA has not had a Senate-confirmed Deputy for more than 5 years, and Mr. Syed is one of the longest pending nominees in the Senate. So I am exceedingly pleased this qualified nominee is now moving forward. If confirmed, Mr. Syed will also add to the diversity of President Biden's administration by serving as the highest ranking Muslim official in the administration.

Finally, this week, we will begin considering the nomination of Dale Ho to serve as a district judge for the Southern District of New York.

It is shaping up to be another busy week in the Senate, and I thank my colleagues for their good work.

#### INVESTING IN AMERICA

Mr. President, now on implementation, last week, Congress passed legislation averting catastrophic default. That alone is very good news for every single community in this country. Better yet, Congress averted default while also preserving the important investments we have made through legislation like the CHIPS and Science Act, the bipartisan infrastructure bill, and Democrats' landmark Inflation Reduction Act.

Now, Democrats are getting the word out on our agenda, and for months I have worked with the administration and with my colleagues to painstakingly plan out implementation.

It is one thing for Americans to read about Congress passing this bill or that bill; it is a whole different ball game for them to see these investments come to life through new construction projects, new factory openings, new job announcements, and even more private sector investments. Implementing our

agenda is not abstract; it is happening across the country as we speak. It means jobs, jobs, jobs as well as real help for so many different communities—suburban, urban, rural—across the country.

To that end, the Biden administration announced today they will hit the road very soon for their phase 2 Investing in America tour. It will be a great chance for Americans to hear directly from the administration in their own backyards and for the administration to tout the new projects sprouting across the country.

Today, the White House also announced the rollout of invest.gov—a terrific new resource mapping out precisely how implementation is taking root across the country. I encourage everyone to visit invest.gov so they can see all the projects in semiconducting, clean energy, battery and EV manufacturing, and bio manufacturing that have been announced since the beginning of President Biden's term.

My friends, the numbers don't lie. Under President Biden and Democrats in Congress, 32,000 infrastructure projects and more than \$470 billion—billion with a capital "B"—worth of private investments have been announced, including \$214 billion in investments toward semiconductors, which was largely made possible thanks to the CHIPS and Science Act; more than \$200 billion to help make America the leader in clean energy manufacturing, led by legislation like the Inflation Reduction Act. And these investments include everything from new battery plants in Georgia and West Virginia to solar power facilities in Oklahoma and South Carolina, to wind turbine assembly lines in New York, and so much more.

These are just a few examples of how Democrats' agenda is paving the way for the future and the future of jobs in this country.

Implementation will remain at the top of Democrats' priority list in the months and years ahead. Democrats have a great story to tell the American people. Now we are putting in the work to make sure Americans know precisely—precisely—how our agenda is working for them.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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.

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### BUSINESS BEFORE THE SENATE

Mr. MCCONNELL. Mr. President, last week, the Senate passed an agreement that preserved America's full faith and credit and began to rein in Democrats'

runaway spending. But the Senate's work is far from over. Today, with the threat of economic crisis behind us, it is time for the Senate to focus its full attention on some of the most basic responsibilities we are sent here to fulfill: keeping America safe, keeping America fed, and keeping the lights on.

First, we have a little less than 4 months left in the fiscal year. Our colleagues, Appropriations Chair MURRAY and Vice Chair COLLINS, have expressed a shared goal to fund the Federal Government through regular order. That means 12 full-year funding bills processed, passed, conferenced, and signed into law before the end of September. I think all 100 of us agree that we should not be funding the American people's government through one big omnibus at the end of the year, but achieving that is going to require hard work and incredible cooperation.

To produce funding bills that can pass the House and become law, we will have to build on the progress we made last week. After 2 years of taxing, spending, and runaway inflation, the American people chose to elect a divided government. In the coming weeks, that divided government has an opportunity to restore stability to the appropriations process and deliver more of the fiscal sanity they expect, but only if the Democratic majority lets the process actually work.

This year, we also have the responsibility to deliver a farm bill. A full 10 percent of the American workforce depends on agriculture. The Commonwealth of Kentucky is home to nearly 75,000 farms, and, in the past 5 years, since the last farm bill was passed, farming hasn't gotten any easier. Neither has ranching or forestry. Small businesses and farm families across the country will be watching the Agriculture Committee's work especially closely. Chair STABENOW, Ranking Member BOOZMAN, and our colleagues are already hard at work producing legislation that delivers the certainty and support they need to continue innovating, supporting rural jobs, and feeding America.

And Chair CANTWELL, Ranking Member CRUZ, and the Commerce Committee are working on another measure that will require our attention before the end of the fiscal year—reauthorizing the Federal Aviation Administration. Reliable and affordable air travel for both people and cargo is important to the prosperity of communities and industries across our country.

So on behalf of Kentucky growers and the entire country, I hope each of these measures receives swift consideration here on the floor.

#### NATIONAL DEFENSE

Finally, Mr. President, as I made clear last week, the government's work to provide for the common defense remains unfinished. President Biden's request for the defense budget is simply insufficient, given the major challenges that our country faces. We are

investing roughly half as much in defense today as a share of GDP as we were at the height of President's Reagan buildup in the mid-1980s.

In the dangerous world that surrounds us today, this is wholly inadequate. Decades after the Cold War, the famous Reagan maxim—"peace through strength"—still applies. But, unfortunately, the Biden administration's record on defending America, our partners, and our interests has been one of weakness and delay.

Take, for example, the President's approach to helping Ukraine fight Russian invaders. At seemingly every opportunity—from the guided rockets to drones, to Abrams tanks—he hesitated to put decisive capabilities in Ukrainian hands until they were several steps behind the pace of relevance.

Last month, the Biden administration finally authorized the transfer of F-16 fighter aircraft, but, as with the tanks, they waited too long for these highly capable systems to be ready for a counteroffensive anytime soon, making it more likely—more likely—that this conflict becomes a stalemate or worse, instead of a Ukrainian victory.

And the President continues to avoid authorizing other key capabilities, like longer range fires and cluster munitions, even though Russia is already using them against Ukrainian forces.

The consequences of these misjudgments are not limited to Ukraine itself. The same adversaries who watched President Biden's botched withdrawal from the battlefield in Afghanistan are watching the West for signs of weakness in Ukraine. America's friends in the Indo-Pacific know that along with robust investment in real military capabilities, the best way to deter aggression from China is to help Ukraine defeat aggression from Russia.

Tomorrow, the President will welcome Prime Minister Sunak of the United Kingdom to Washington. The special relationship between our two countries is a source of strength in the face of shared threats around the world. Anglo-U.S. cooperation, including with Australia in the Indo-Pacific, will help shape the next century of strategic competition. I hope President Biden will recommit to standing with America's closest allies and partners in confronting shared threats.

Congress must commit ourselves to equipping our military with the capabilities it needs to control growing threats from China, Russia, Iran, North Korea, and terrorists emboldened by America's retreat from Afghanistan.

Keeping America safe, keeping America fed, and keeping the lights on—our responsibilities are crystal clear.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

NATO

Mr. DURBIN. Mr. President, the strongest military alliance in the world is the NATO alliance. President Joe Biden has made that alliance stronger than ever since its creation.

Countries like Finland now want to be part of that alliance for their own safety because they share our values. Countries like Sweden feel the same way. They want to be part of this alliance, which President Biden has supported completely.

It has never been stronger since its creation, and the contributions made by the alliance members to the war in Ukraine are unprecedented. It has never happened before. Nations from all over Europe and nations that share our values are standing behind the NATO alliance.

To hear the suggestion on the floor of the Senate that somehow there is a weakness in the Biden administration when it comes to NATO is belied by the facts and the truth.

The fact of the matter is, as well, that when you look back at the previous President, named Donald Trump, chart what he has to say about Ukraine now. He questions whether we should be helping them at all. He questions whether or not we should make Vladimir Putin angry.

You all know and remember, as I do, as well, that during the 4 years of the Trump administration, there was this ambivalence, this bromance between Putin and Trump that no one could explain. And now to have someone come to the floor and say Joe Biden isn't strong enough when it comes to standing behind the people of Ukraine, that is just flatout wrong.

The support for the Ukrainian people against Vladimir Putin is universal across—I shouldn't say "universal." Let me strike that word. It is almost universal and should be universal across all Members of Congress. Democrats and Republicans alike in the Senate believe that we are doing the right thing as a nation standing behind the people of Ukraine.

As a cochair of the Ukrainian Caucus in the U.S. Senate, I believe this in my heart and soul: If the Ukrainians do not prevail over Vladimir Putin, I am afraid we are going to have more wars to fight. I can think of other countries that are vulnerable to his expansionist dreams: Poland, for goodness' sake; the Baltic States; Moldova. The list goes on and on.

President Biden has made a stand in Ukraine, and it is the right position to take. To suggest that the NATO alliance is not behind him is wrong. They are behind him in a way that is unprecedented in history.

I am happy to report that I am not only pleased to support the Ukrainians in this effort, but I think we have done everything that we should do.

Now, remember, President Biden has an important decision to make each time someone suggests a new weapons system: Will this be provocative? Will it lead to expansion of the equipment used in war, even to nuclear weapons?

That is an important question. I don't know if I could sleep at night if I had to worry about my decision the next morning and whether it would

trigger a nuclear war. But that is what President Biden faces day after day, after day. People who come in and say, "Just send every weapon system and don't think twice about it," don't understand the burden of the Presidency—to make sure we do the right thing to support the Ukrainian people, but not a provocative action that draws in American forces or runs the risk of nuclear war.

The President has to make the careful decision with every weapons system. So if it takes an extra day or week, do it right, Mr. President. Don't be pushed into it by those who really can't understand the gravity of each of these decisions. Stand behind the Ukrainian people. Do it through the NATO alliance. Do it in a way that doesn't expand this war to include American troops or to make it a nuclear conflict. That, I think, is the bottom line.

#### GUN VIOLENCE

Mr. President, it was 10 years ago, roughly, when the inauguration of Barack Obama took place. It meant a lot to me. He was my colleague in the Senate for a number of years. He was my friend. I endorsed him for President. I was the first Senator to endorse him, and, for 14 months, I was the only Senator who endorsed him.

I traveled to Iowa many times to campaign for him as President. And, of course, I remember that glorious, cold, cold day when he took the oath of office out here on the steps of the Capitol. It was cold, but there were huge crowds. I will never forget it. I was lucky enough, being in the Senate and a friend of his, to be on the platform when he took the oath of office. And when my friend Barack Obama reached his hand over and put it on the Bible of Abraham Lincoln to take his oath of office, I was witnessing, along with America, a moment in history I had never dreamed of.

It meant a lot to many other people too. There was a class from a school in Chicago that decided to send out their students and their band to march and to honor the new President. They were as proud of him as I was, maybe more so. It was an African-American school class, and it included in its rank a young lady named Hadiya Pendleton.

After she witnessed that swearing-in, she went back to Chicago. Sadly, 2 weeks later, she was senselessly shot down and killed on the South Side. She was 15 years old. President Obama's wife Michelle Obama came to her funeral in Chicago to honor this wonderful little girl—young girl—who came to that capital to be part of history and only lived a few weeks afterwards.

Friday would have been Hadiya Pendleton's 26th birthday. I joined community members in Chicago at a violence prevention center called BUILD. The people I spoke to were united not only in wearing orange to signify their unity but in sharing the belief that we have to do more to protect our communities from gun violence.

In the more than 10 years since Hadiya was killed, America's crisis of gun violence has gotten progressively worse. Today, gunfire is the No. 1 killer of America's children. Think about that for a second—gun violence, the No. 1 killer of America's children today, of all the things they face in life.

One in five Americans now say they have lost a loved one to gun violence—one in five. Many Americans say they live in fear of sending their kids to school or the local grocery store or church, that they will become targets of the next mass shooting.

Last weekend, sadly, at least 46 people were shot in the city of Chicago during the weekend. Ten died. This includes a horrific mass shooting in the Austin neighborhood, where seven people were shot and one died just blocks away from where the new mayor lives.

Some politicians claim, well, that is part of American life; we have to accept it. I think they are wrong, and nearly 90 percent of Americans who support new gun safety laws agree it is time for Congress to do something. That is why it is unbelievable to me, having served in this body for a number of years, that this week the Senate Republicans want to take us backwards and weaken an existing gun law, one that has been on the books since 1934, almost 90 years: the National Firearms Act.

Congress passed this law almost 90 years ago to set strict rules around particularly dangerous firearms like machine guns, sawed-off shotguns, and short-barreled rifles, but right now, the Republican effort on the floor wants to wipe away a regulation from the Bureau of Alcohol, Tobacco, Firearms and Explosives which restricts devices that can convert pistols into short-barreled rifles.

The device is known as a stabilizing brace. When you attach one to a pistol, you can hold the weapon against your shoulder to fire it. It is accurate like a rifle but easily concealed, more like a handgun. That is exactly why, for almost 90 years, short-barreled rifles have been regulated in the United States. This kind of weapon is still being used. It was used by the mass shooter who killed 9 people and injured 17 others in Dayton, OH, in 2019 and by another mass shooter in Boulder, CO, in 2021 who killed 10 people.

Now, ask yourself, is this what America needs in the year 2023: weakening gun laws that have been on the books since Franklin Roosevelt was President, making it easier to conceal short-barreled rifles in your handbag or backpack? Absolutely not. But this Republican proposal, at this moment of gun violence and bloodshed in America, would make it easier for mass shooters and criminals to access these dangerous weapons.

Under the ATF rule, gun owners have a number of ways to comply. They can take the brace off their pistol or put a longer barrel on it, but they cannot

have a short-barreled rifle without being subject to regulations from that 1934 National Firearms Act, which included registration and limits on transfers.

The ATF's regulation on pistol braces is just common sense. More importantly, it will save lives. The only question is, Why are the Republicans bringing this up at this moment in our history? Why? Is it for the gun lobby or for the American people?

VENEZUELA

Mr. President, on another topic, last month, a few of my colleagues and I had a memorable meeting with the former interim President of Venezuela, Juan Guaido. After a heroic and determined effort to bring some semblance of democracy and stability to the once-proud nation of Venezuela, he and his young family fled in fear for their safety and future. He showed me the harrowing photos of his wife and two young daughters fleeing secretly over land and across a dangerous river into Colombia—a story that, sadly, isn't unique or even the worst I have heard.

Under the current Maduro regime, Venezuela is a politically repressive failed state. I visited with this President in Caracas before the discredited 2018 election, and what I saw and what continues today is heartbreaking. There are people starving and fainting at work from malnutrition, hospitals without electricity and basic medicines, brutal political repression and torture, and staggering corruption and the dismantling of what is left of that country's democracy. It is not surprising, then, that over the last decade, more than 6 million Venezuelans have fled their country in despair and fear, traveling to neighboring nations and some onward to the United States.

Yesterday, I went to the Piotrowski Park shelter in Chicago, and I met with a number of these Venezuelan immigrants, some of whom were bused into Chicago from Texas. It is not the first time I have sat down with these immigrants to hear their stories. The city of Chicago, like many other cities, is doing the best they can to provide good, humane care for these people and these families.

I asked one woman about the journey she made. She sat right next to me with three little boys, the cutest kids you have ever seen—7 years old, 5 years old, and 3 years old—and she told me what it meant to take them through the jungles in Panama and realize that at any moment they could perish. That is how desperate she was for freedom, how desperate she was to get to the United States. Hers is not a unique story; it is a story repeated over and over.

I want to especially thank Kate Maehr at the Greater Chicago Food Depository and the New Life Community Church, Matt DeMateo, for his leadership and helping this woman's desperate family and so many other migrants arriving in Chicago.

Previously, I, along with several colleagues, urged the previous administra-

tion and then President Biden to grant temporary protected status to these Venezuelans. TPS is a temporary immigration status provided to foreign nationals if returning to their country would pose a serious threat to their safety because of ongoing conflict, environmental disaster, or other extraordinary conditions. It is the kind of commonsense move self-confident nations and leaders take to demonstrate global leadership and compassion—one I was glad President Biden made early in his Presidency.

The original designation covered Venezuelans who arrived in the United States by March of 2021. Today, I call on the administration to make a similar designation for more recent Venezuelan arrivals. The Venezuelans I met in Chicago will tell you that conditions have only worsened since 2021. A new TPS designation would not provide permanent immigration status but, instead, a measure of American decency and solidarity with those who face violence and chaos in Venezuela.

U.S. SUPREME COURT

Mr. President, you have all heard the story, I am sure, about the U.S. Supreme Court and Justice Clarence Thomas. It was published about 6 weeks ago. It turns out that Justice Thomas was receiving lavish gifts from a Texas billionaire named Harlan Crow.

Harlan Crow and his family made a lot of money in real estate and other investments. He is pretty well known because, as recently as this last summer, Harlan Crow had been providing transportation for a Supreme Court Justice, Clarence Thomas, and his family, and sadly the Justice failed to disclose that gift as required by law.

The highest Court in the Nation must not have the lowest ethical standards. Sadly, I am afraid that is the case today. Every Federal judge in the United States of America is bound by a code of ethical conduct and a set of ethics rules and enforcement mechanisms—every single judge in America except for the nine across the street in the Supreme Court.

It was 11 years ago, February 2012, when I first wrote Chief Justice Roberts and urged him to address this problem. I urged him to have the Supreme Court adopt a binding code of conduct that applies to all Justices, just like every other Federal judge in America. He refused, and the ethics problem, which was already swirling around the Court a decade ago, has grown progressively worse.

The Senate Judiciary Committee, which I chair, is currently seeking information to understand the full extent of the ethical problems in the Supreme Court because of their lack of a binding code of conduct. The committee must engage in this work because Chief Justice Roberts refuses to do what is within his power to do today: adopt a resolution binding the nine Justices to an enforceable code of ethical conduct, just like every other Federal judge.

The polling data on the reputation of the Supreme Court tells the story. It

has plummeted. People have lost confidence in a Court that is hiding something as basic as this.

If people with interests before the Court are able to get special private access to any Supreme Court Justice through gifts or travel or vacations and giveaways, the American people have a right to know. If the Court is going to be credible, it has to be transparent. At a minimum, it creates an appearance of a conflict of interest, if not an actual one.

The Senate Judiciary Committee has well-established legislative and oversight authority over the Federal judiciary. It is imperative that the committee understand how people or parties with interests before the Court are able to gain influence and access to any Justice.

While we are focused on the ethical conduct of all the Justices, the revelations about hundreds of thousands of dollars in undisclosed gifts that Justice Clarence Thomas has received over the past two decades present the clearest example of the appearance of misconduct that we must address through legislation.

Late last night, the Senate Judiciary Committee received a second response from Texas billionaire Harlan Crow to our earlier letters of May 8 and May 26. Those letters were requests for information about the lavish gifts he and three companies have provided to Justice Thomas. Sadly, he has made it clear that he refuses to voluntarily cooperate. Harlan Crow has based this refusal on a dangerous, undemocratic argument that information requests of him about these gifts infringe on the separation of powers between Congress and the Court. This argument is baseless.

Good news for Harlan Crow: If you check with your lawyers, they will inform you, you are not a branch of government; you are a private citizen. You cannot declare that you are standing up for the Supreme Court and refuse to cooperate with Congress.

That is exactly what he is doing. He is not a member of government. He is not a government. He is not a branch of government. He is a rich Texas billionaire who wants friends in high places.

The Senate Judiciary Committee has clearly established authority to conduct oversight over the ethical crisis of the Court's own making and to legislate as needed to address it. Let me be clear. All options are on the table to acquire information. We need to help restore faith in the conduct of public servants who serve the highest Court in the land.

Mr. President, I ask unanimous consent to have printed in the RECORD the latest letter which we have received from Harlan Crow through his attorneys.

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

JUNE 5, 2023.

Re: Response to May 26, 2023, Letter to Harlan R. Crow

Hon. DICK DURBIN, *Chairman*,  
*U.S. Senate Committee on the Judiciary*,  
*Washington, DC.*

DEAR CHAIRMAN DURBIN: We write on behalf of Harlan Crow in response to your letter of May 26, 2023 (the "May 26 Letter") responding to our May 22, 2023 letter ("Response"), which raised serious concerns about your original request of May 8, 2023 for information regarding Mr. Crow's friendship with Justice Clarence Thomas. Please note that CH Asset Company, Carey Commercial Ltd., and Topridge Holdings, LLC have asked us to respond on their behalves and we are doing so today. While the concerns we expressed in our Response about the Committee's investigation remain, we respect the Senate Judiciary Committee's important role in formulating legislation concerning our federal courts system, and would welcome a discussion with your staff.

In our Response, we explained why we believe the Committee lacks authority to conduct its investigation of Mr. Crow and Justice Thomas. To reiterate, Congress does not have the power to impose ethics standards on the Supreme Court. It therefore cannot mount an investigation for the purpose of helping craft such standards. The Committee also may not pursue an investigation for the purpose of targeting and exposing private facts about an individual. Finally, because the Committee has requested information about the leadership of a coequal branch of government—implicating sensitive separation of powers considerations—it must satisfy a higher standard in order to establish a valid legislative purpose for seeking the requested information. On this point, too, the Committee's investigation comes up short.

#### THE CONSTITUTIONAL LIMITS ON THE COMMITTEE'S AUTHORITY ARE CLEAR

In our Response, we explained in detail why Congress lacks power to impose ethics standards on the Supreme Court. The fact that Congress has enacted ethics legislation previously—a point on which the May 26 Letter relies heavily—is no answer to our concerns. "[P]ast practice does not, by itself, create power." *Medellin v. Texas*, 552 U.S. 491, 532 (2008) (quotations omitted). The constitutionality of the legislation the Committee claims it is crafting must be assessed on its own terms, not based on whether it is consistent with other laws, the constitutionality of which has never been tested.

Nor does Congress's ability to enact laws governing mere administrative functions of the Supreme Court mean that Congress also has the authority to take the very different and more intrusive step of imposing ethics standards on the Justices. Congress's power to create laws "necessary and proper for carrying into Execution" the provisions of the Constitution must be "[read together]" with the precise contents of those provisions. *Bond v. United States*, 572 U.S. 844, 874-75 (2014) (Scalia, J., concurring). To do otherwise would create "unlimited congressional power" inconsistent with the constitutional design. *Id.* at 877.

Thus, Congress may undertake measures to facilitate Article III's vesting of judicial power in the Supreme Court, such as by fixing the number of Justices who serve on the Court above the constitutional minimum. See U.S. Const. art. III, §1; U.S. Const. art. I, §3, cl. 6; *id.* §8, cl. 18. But fixing the number of Justices is, as this Committee has recognized in the past, done "for purely administrative purposes." S. Rep. No. 75-711 at 12 (1937). It is a ministerial measure to help execute the vesting of judicial power. It is not a regulation of the exercise of judicial

power, which the Constitution reserves to the judiciary. See *Stern v. Marshall*, 564 U.S. 462, 483 (2011) ("[T]he judicial Power of the United States can no more be shared with another branch than the Chief Executive, for example, can share with the Judiciary the veto power." (quotations omitted)). And Congress's ability to enact measures that effectuate the vesting of judicial power does not imply plenary authority to enact any and all laws that may be related to the judicial function. Cf. *Gibbons v. Ogden*, 22 U.S. 1, 195 (1824) ("The enumeration presupposes something not enumerated.").

In stark contrast to a statute fixing the number of seats on the Supreme Court, an ethics standard would be a substantive regulation of the conduct of the Justices in both their official and private lives. It is different in kind from laws that facilitate the vesting of the judicial power because it is not "incidental" to the basic administrative functioning of the Court. *Nat'l Fed'n of Indep. Bus. v. Sebelius*, 567 U.S. 519, 559 (2012). Nor is an ethics standard a "prerequisite" to the Court's exercise of judicial power. *Patchak v. Zinke*, 138 S. Ct. 897, 907 (2018). It is therefore beyond Congress's authority under the Necessary and Proper Clause. Further, the May 26 Letter does not identify any other enumerated power that could possibly support the enactment of an ethics standard. That means an ethics standard of any kind, imposed on the Court by Congress, would be unlawful. See *United States v. Morrison*, 529 U.S. 598, 607 (2000).

Moreover, even if the Committee could find authority to legislate on the subject in an enumerated power, any attempt to enact Supreme Court ethics standards would still run afoul of the separation of powers. Indeed, this Committee rejected President Franklin Roosevelt's proposal to expand the number of seats on the Supreme Court because the proposal would have "permit[ted] executive and legislative interferences with the independence of the Court, . . . a permission which constitute[s] an affront to the spirit of the Constitution." S. Rep. No. 75-711 at 12 (1937). Thus, even if a measure like modifying the number of seats on the Court would ordinarily be permissible, it cannot be undertaken where it would erode the "essential balance created by" separating "the legislative from the judicial power." *Plaut v. Spendthrift Farm, Inc.*, 514 U.S. 211, 221-22 (1995).

The independence of the Court is exactly what is at issue here. If Congress were empowered to enact ethics standards targeting the Justices, that power could readily be used to coerce or harass them for exercising the judicial power in ways deemed objectionable by legislators. An ethics standard imposed by Congress on the Justices would loom over the Court's independence as an implicit and omnipresent threat that the political branches may, at any time, "punish the Justices whose opinions [they] resent." S. Rep. No. 75-711 at 12 (1937). If dissatisfied with a decision, Congress could amend the standard, effectively giving Congress a "general superintending power" over the Court. *Calder v. Bull*, 3 U.S. 386, 398 (1798) (Iredell, J., concurring). Likewise, any enforcement mechanism for such an ethics standard would further undermine the constitutionally mandated independent role of the Supreme Court. A code enforced by the Judicial Conference of the United States, for example, would impermissibly invert the hierarchy of the judicial department, placing lower court judges in a supervisory role over the Supreme Court. Similarly, an ethics code enforced by executive branch officials would expose the Justices to potential harassment by political actors. And a congressionally mandated code that was meant to be enforced by the Justices themselves would be a

usurpation by Congress—a command to the Justices to exercise in a particular way an inherent judicial power that is reserved exclusively to the Justices' discretion. See *Patchak*, 138 S. Ct. at 905 (“The separation of powers, among other things, prevents Congress from exercising the judicial power.”).

These risks are particularly acute because of key differences between the Supreme Court and the political branches. Both Congress and the President have ample constitutional powers that can be freely wielded at their discretion in the course of inter-branch conflicts, such as Congress's appropriations and impeachment powers, and the President's veto power and wide-ranging administrative authority. Both political branches also enjoy the political support of their respective constituents. By contrast, the Supreme Court has no political base, no role in the legislative process, and no authority to control, influence, or investigate the administration or execution of the laws outside the context of specific cases or controversies initiated and pursued by government or third-party litigants. This relative lack of power and political support vis-à-vis the political branches renders the Court more vulnerable to political intimidation. See *Nixon v. Adm'r of Gen. Servs.*, 433 U.S. 425, 441 (1977) (finding separation of powers concerns reduced because the “Executive Branch became a party to the [statute's] regulation” when the President signed it into law and where executive officials “promulgate and administer the regulations that are the keystone of the statutory scheme”). Further, unlike lower courts, the Supreme Court possesses the ultimate power to “say what the law is” for the entire country, *Cooper v. Aaron*, 358 U.S. 1, 18 (1958) (quoting *Marbury v. Madison*, 5 U.S. 137, 177 (1803)), including the ability to depart from past precedents where they are “unworkable or are badly reasoned,” *Payne v. Tennessee*, 501 U.S. 808, 827 (1991). That gives the Supreme Court a singularly important place in our system of government, and makes any impairment of its “performance of its constitutional duties” a unique threat to the constitutional structure. *Loving v. United States*, 517 U.S. 748, 757 (1996).

In short, separation of powers principles dictate that each branch must be “entirely free from the control or coercive influence, direct or indirect,” of the other branches. *Humphrey's Ex'r v. United States*, 295 U.S. 602, 629 (1935). Yet permitting Congress to arrogate to itself the power to impose an ethics standard on the Supreme Court would create a substantial risk of both direct and indirect coercion of the Court by the political branches—a risk made all the more apparent by recent calls to pack the Court or retaliate against the Justices if they “go forward” with certain decisions. See, e.g., *Jess Bravin, Chief Justice John Roberts Rebukes Chuck Schumer Over ‘Pay the Price’ Comments*, *Wall Street Journal* (Mar. 5, 2020).

#### THE CONSTITUTIONAL OBJECTIONS TO IMPOSING ETHICS STANDARDS ON THE JUSTICES BAR THE COMMITTEE'S INVESTIGATION

Given the foregoing considerations, the Committee's investigation is inconsistent with the Constitution. Congress's investigative authority extends only to subjects “on which ‘legislation could be had.’” *Eastland v. U. S. Servicemen's Fund*, 421 U.S. 491, 506 (1975) (quoting *McGrain v. Daugherty*, 273 U.S. 135, 177 (1927)). Contrary to the claims in the May 26 Letter, courts have made clear that, if an investigation is aimed at crafting a constitutionally objectionable law, it is not permitted. See *Barenblatt v. United States*, 360 U.S. 109, 111 (1959) (“Congress may only investigate into those areas in which it may potentially legislate or appropriate.”); see also *United States v. Lamont*, 18 F.R.D.

27, 33 (S.D.N.Y. 1955) (“[T]he Supreme Court has steadfastly held that the congressional power to investigate is not boundless.”). While an investigation may be carried out to aid the enactment of a lawful statute—and may proceed even if it might also be used to help write other bills that may not withstand constitutional scrutiny—an investigation is barred where it has no legitimate legislative objective. See *Quinn v. United States*, 349 U.S. 155, 161 (1955). That is the case here.

The cases on which the May 26 Letter relies to suggest otherwise involved circumstances where the court did “not know the particulars of any legislation that Congress might ultimately enact,” and had “no reason to conclude . . . that any legislation in the areas considered by the Committee would necessarily present a constitutional problem.” *Trump v. Mazars USA, LLP*, 39 F.4th 774, 809 (D.C. Cir. 2022). Here, by contrast, the Committee's intentions are clear: It seeks to enact ethics standards for the Supreme Court, and is considering specific bills to accomplish that goal. See, e.g., *Supreme Court Ethics, Recusal, and Transparency Act of 2023*, S. 359, 118th Cong. (2023); *Supreme Court Ethics Act*, S. 325, 118th Cong. (2023). It is equally clear that any ethics standard that Congress requires the Supreme Court to follow would exceed Congress's authority, for all the reasons set forth above. The Committee's investigation thus presents a quintessential example of an impermissible inquiry on a subject on “which Congress is forbidden to legislate.” *Quinn*, 349 U.S. at 161.

#### SEEKING INFORMATION ABOUT A SITTING SUPREME COURT JUSTICE FROM A PRIVATE PARTY FURTHER IMPLICATES SEPARATION OF POWERS CONCERNS, WHICH IMPOSE A HEIGHTENED STANDARD FOR SHOWING A LEGISLATIVE PURPOSE

The Committee's requests also cannot withstand constitutional scrutiny for an additional reason. Because its requests are aimed at obtaining private information about a sitting Justice of the Supreme Court, they squarely implicate the separation of powers, which means the Committee's investigation must satisfy a heightened standard in order to establish a valid legislative purpose for seeking the requested information. But the Committee makes no effort to meet that heightened standard.

Most importantly, the May 26 Letter mistakenly claims that the Committee's requests do not implicate the separation of powers because they ask for the records of “private entities, not a coequal branch of government.” As a matter of both Supreme Court precedent and common sense, that distinction is irrelevant. “The Constitution does not tolerate such ready evasion; it ‘deals with substance, not shadows.’” *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019, 2035 (2020) (quoting *Cummings v. Missouri*, 71 U.S. 277, 325 (1866)). When, as here, Congress is demanding information about the leadership of a coordinate branch of government, the request “present[s] an interbranch conflict no matter where the information is held.” *Id.* Those “separation of powers concerns are no less palpable . . . simply because the [Letter] w[as] issued to [a] third part[ly].” *Id.* The Committee's requests are plainly aimed at obtaining information about Justice Thomas and, accordingly, they trigger the heightened standards that apply to such interbranch investigations.

Those standards require that congressional requests be “no broader than reasonably necessary to support Congress's legislative objective,” and that the Committee rely on other sources for the information it seeks if those “sources could reasonably provide [the Committee] the information it needs.”

*Mazars*, 140 S. Ct. at 2035–36. The Committee is not entitled to every piece of conceivably relevant information, particularly where other sources are available to guide the Committee's work. The May 26 Letter makes no effort to explain how the Committee's requests satisfy these standards. Simply asserting that the information requested from Mr. Crow “could be helpful in our legislative effort,” Senator Richard Durbin, Remarks on the Floor of the United States Senate (May 30, 2023), fails to meet the standards that govern when “separation of powers principles [are] at stake,” *Mazars*, 140 S. Ct. at 2035. It is also apparent that the Committee has an abundance of information and other sources to draw upon to inform its legislative efforts without resorting to intrusive requests for details about Justice Thomas's private life. See *id.* at 2036 (“[E]fforts to craft legislation involve predictive policy judgments that are not hampered in quite the same way [as are criminal proceedings] when every scrap of potentially relevant evidence is not available.” (quotations omitted)).

The May 26 Letter disclaims any inappropriate focus on Justice Thomas, based in part on work done in previous Congresses related to Supreme Court ethics. But the work of past Congresses is of limited relevance; what matters is what the Committee is doing today. On this point, the May 26 Letter is clear. It states that “[t]his year, ProPublica released not one, not two, but three different reports about unreported gifts or transactions Justice Thomas has received from or engaged in with [Mr. Crow].” No other Justice has been singled out by name for supposed ethics lapses. The focus of the Committee's inquiry is unmistakable, and appears designed to expose Justice Thomas's private affairs “for the sake of exposure.” *Watkins v. United States*, 354 U.S. 178, 200 (1957). That does not qualify as a valid legislative purpose.

The Senate Judiciary Committee has often served as a bulwark of constitutional values in our Republic. In the face of past efforts to undermine the Supreme Court's independence, this Committee committed itself to “maintaining inviolate the independence of the three coordinate branches of government.” S. Rep. No. 75-711 at 16 (1937). Respectfully, we ask that the Committee Majority reassess the partisan course it is pursuing, which has no place under our Constitution.

Please feel free to have your staff contact me with any questions concerning this response and to set up a time to further discuss your requests.

Sincerely,

MICHAEL D. BOPP.

Mr. DURBIN. Mr. President, there are parts of this letter which I find incredible. We received it late last night.

As I mentioned before, Harlan Crow, the Texas billionaire who gave hundreds of thousands of dollars of undisclosed gifts to this Supreme Court Justice over a period of 20 years, now refuses to tell us anything about what those gifts involved, how much was spent, who was there, what this was all about. He says he can't tell us that because we don't have any authority in Congress over that branch of government—the Supreme Court.

Well, he is wrong about that. It turns out, the ethics laws that we passed in Congress in years gone by have been upheld by other courts and followed by them, but it is only one court in the land that has decided it won't follow



those standards. The highest Court in the land has decided it will have the lowest ethical standards.

It is hard to understand. Here is Harlan Crow, the Texas billionaire, spending all this money on one Supreme Court Justice, saying that we cannot, in Congress, ask hard questions about the ethical standards of the highest Court in the land because it would put undue influence on the Court.

Bottom line: Undue influence is what this is all about. No one should be able to spend hundreds of thousands of dollars on a Senator, a Congressman, or certainly a Supreme Court Justice without full disclosure and compliance with the law.

For the Supreme Court to say that is asking for too much, I think the American people can draw their own conclusions. They have a right to know, if Harlan Crow thinks our passing an ethics code for the Supreme Court would put undue influence on the Court, how does he explain spending hundreds of thousands of dollars on gifts, trips, on yachts, and chartered airplanes for a Supreme Court Justice? Is he not seeking undue influence on the same Court? It is obvious that it is true.

What surprised me after I received this letter—and, once again, was offended by the logic of it, if there is any—at the end of the day, I looked online today to find that this attorney, Michael Bopp, is saying that he made an offer now to meet with the staff of the Senate Judiciary Committee.

I read the letter for a third time. And I thought, how did I happen to miss that? Well, it turns out it is the final sentence in the letter. And I would like to read it to you.

Please feel free to have your staff contact me with any questions concerning this response and to set up a time to further discuss your requests.

That, I suppose, is the offer to meet. I am not going to turn it down. We are going to meet with him if he wishes to discuss this further.

But before we go any further than that conversation about this committee, let me make a reference to the bottom line in this controversy. Chief Justice John Roberts, the person that this Court is named after, as all Chief Justices are—the Roberts Court has the authority this afternoon, before 5 o'clock, to announce a resolution to resolve this issue once and forever, to make sure that the Court steps away from the sordid affair with the right conclusion. To put a code of ethics in a standard of ethical conduct in place will bring this Court into the same world of reality as the rest of the courts in the United States.

The American people need to have confidence in this Court. And hiding gifts of hundreds of thousands of dollars, not disclosing, and paying no price when they are finally discovered is not the way to convince the American people that the Court is credible.

We are going to continue in the Senate Judiciary Committee to do all that

we need to do to get to the bottom of this controversy. The American people have a right to believe in this Court, as they do in this Congress. And we have to do everything under our power to make sure that happens.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

#### CONGRESSIONAL OVERSIGHT

Mr. GRASSLEY. Mr. President, today, once again, I am here to discuss my constitutional oversight of the Justice Department and the FBI. It surely has been a very busy year thus far for congressional oversight, and let me say rightly so. That is the way it should be because we know, first, Congress passes laws, but Congress can't stop there. We have got to make sure that Congress follows up to guarantee, under our checks and balances of our Constitution, that a President will faithfully execute the laws.

In many of my speeches on the topic of oversight, I have discussed how political infection has taken root in the Biden Justice Department and FBI. Such a political infection is catastrophic to the trust the American people must have in these institutions in order for those institutions to have any legitimate effect.

To restore this country's confidence in the Justice Department and the FBI, these Agencies must come clean with a 1023 document that whistleblowers have approached me about.

An FBI 1023 document is used to collect information from what the FBI calls a confidential human source.

A confidential human source is not—I want to emphasize—is not a mere walk-in or a mere tip like some journalists have reported. Confidential human source purpose is to advance investigative activity, and the FBI takes great care to make sure that they can vet these people and know that they serve a useful purpose.

The 1023 that I sought from the FBI references a criminal scheme involving then-Vice President Biden and his alleged receipt of \$5 million for a policy decision. Now, at first, the FBI refused to even admit that this document existed, let alone admit that this document was marked "unclassified."

Then I told Director Wray last week that Chairman COMER and I have reviewed the 1023. I told Director Wray that this 1023 is marked "unclassified." I told him that it was dated June 30, 2020, and I and Chairman COMER demanded that he produce that document.

Director Wray made one excuse after another to not produce it. I reminded Director Wray about how the FBI has a penchant for leaking classified information to the media and producing documents to the media. In fact, we all know that the FBI did exactly that in a May 18, 2023, New York Times article. The FBI, therefore, has no legitimate basis to refuse production of a non-classified document to the Congress of the United States.

Let's keep in mind that Congress has received 1023 documents in the past, and now the FBI is subject to a legitimate subpoena for that very document. In last week's phone call with Director Wray, I also asked him if the 1023 is part of an ongoing investigation. He answered that it is relevant to an ongoing investigative matter.

From that vague answer, it is reasonable to conclude that it is part of an ongoing investigation, otherwise it wouldn't be relative to one. It is also reasonable to conclude that the FBI finds it reliable enough to continue using it several years later.

Still—still—that doesn't preclude Congress from running a parallel investigation pursuant to our constitutional oversight responsibilities.

You may remember that this Senator did the same thing during Crossfire Hurricane. If anything, this entire process is a lesson for the executive branch with respect to Congress's constitutional power of oversight.

Now, remember, Congress funds the executive branch, not the other way around. Remember, the document referenced other details that I believe will be made public in time. We have duties to the whistleblowers who have provided legally protected unclassified disclosures to us. These whistleblowers are patriots and must be protected.

Partisan media, most likely in conjunction with the Biden FBI, has misleadingly reported the 1023 is from a tranche of information provided by Rudy Giuliani. News reports last week dispel that notion and make clear that 1023 information that we request is independent of Giuliani.

Those news reports also show that the source who formed the basis of the 1023 is a long-serving FBI source. The source reportedly received numerous validations from the FBI. The source reportedly operated even during the Obama administration. Based on what I have been told about yesterday's meeting, the FBI didn't contradict these findings.

Today, I can say that based upon unclassified and legally protected whistleblower disclosures, the FBI source in the 1023 has been paid at least \$200,000 by the FBI since the source was opened and operational.

High-dollar payments obviously mean the FBI believes the source to be credible and reputable. That makes sense, since Director Wray said the 1023 is relevant to an ongoing investigative report.

So is the FBI looking at bribery allegations against members of the Biden family? Is U.S. Attorney Weiss looking into this? Did the FBI follow normal investigative processes and procedures or did they just sweep this under the rug?

For example, did the FBI try to improperly use the August 2020 Brian Auten assessment to shut down the 1023 reporting by falsely labeling it "disinformation"? What exactly is the FBI doing with the information in this 1023 document that we request?

A vague pronouncement that the 1023 is relevant to an ongoing matter is certainly not even close to enough information to satisfy Congress as well as the American people about what is actually being done with the information on this 1023 document.

The Justice Department and the FBI no longer deserve the benefit of the doubt. Just read the Durham report and its example after example of Justice Department and FBI failures that the Durham report points out.

And since July of last year, I have raised one whistleblower allegation after another to Attorney General Garland and to Director Wray of the FBI relating to the Biden family investigation.

Now, just remember this: The Justice Department and the FBI have failed to dispute a single whistleblower allegation that I have made public. They have also failed to provide any records that I have requested from the FBI or the Department of Justice.

Here, with this 1023 document that I have been referring to throughout my remarks, the Biden Justice Department and FBI must explain to Congress and the American people what, if anything, they have done with this information. And they need to show their work. We are not accepting their word anymore. We are seeking documentary proof of what they did to investigate the matter or their failure to so do. Given the gravity of the issues at stake, the American people deserve nothing less.

So to the Justice Department and the FBI: Quit playing games and recognize whom you work for. You are not working to protect the corporate interests of the FBI; you are working for the American people.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

#### BUSINESS BEFORE THE SENATE

Mr. CORNYN. Mr. President, every day, Texans reach out to my office to talk about challenges that they and their families are facing, or maybe they see something on the news or read something in the local paper that causes them concern about what the Federal Government is up to; but most often, they call and tell me that inflation continues to strain their household budgets, and they are fearful that a recession is approaching. They are raising concerns about the security breakdown at the southern border and fears about rising crime rates in their communities. They share stories about teenage students who died from fentanyl poisoning, maybe friends of their family, and they tell me they are terrified for their own children's safety.

Of course, these concerns aren't unique to Texas. People across the country—everyone—wants affordable gas and groceries. We all, presumably, want dangerous drugs off the streets and dangerous people behind bars. We all want to live in safe communities so

we can pursue our dreams. In short, the American people aren't asking for a lot. All they want is to be able to live happy, healthy lives. And they are asking Congress to remove some of the burdens that are making that more difficult.

That is what we need to be doing here in the Senate. In recent months, the Republican-led House has been a flurry of activity. They passed legislation to unleash the power of American energy and reduce costs to consumers. They passed legislation to classify fentanyl as a schedule 1 substance—the most dangerous of drugs—and to give parents a say in their children's education. They have also passed legislation to improve veterans' healthcare, to stand behind law enforcement officials, and to address fraud and abuse in the unemployment insurance system.

Speaker MCCARTHY and the Republican majority in the House have responded to the concerns of the American people not with rhetoric but with action.

That is a sharp contrast with what we have witnessed here in the Senate. The first major piece of legislation that passed this Chamber was just last week after months of President Biden saying he wouldn't even negotiate with the House on raising the debt limit; but he finally did, up against the back of a potential default.

Before that, the Senate has passed legislation repealing the Iraq war authorization. We reauthorized grants for firefighters and we confirmed some Federal judges and other nominees. Then we passed a handful of Republican-led resolutions to overturn Biden administration executive orders, and that is about it.

Now to be clear, there were some wins in there. Less than a week ago, the Senate passed a resolution I introduced with Senator CASSIDY, the Senator from Louisiana, to overturn President Biden's student loan scheme claiming to cancel student loans for people who agreed to borrow the money. But, somehow, by "canceling," what he really meant was transferring that burden to the taxpayers. We were able to get a bipartisan vote overturning that decision here in the Senate.

But given the fact we are 5 months into the year, this is an embarrassingly short list of accomplishments. Clearly, the Republican-led House is doing its job, but the Democrat-led Senate is not doing a whole lot. The American people are clamoring for action—again, not just lip service. They want action on inflation, on crime, on the border, energy prices, and so much more.

But for some reason, the majority leader, the Senator from New York, Senator SCHUMER, seems content to just put us in neutral and coast. We haven't even had votes on Mondays. We come in on Tuesday and leave on Thursday, 3 days out of the 7-day week. The American people understand that we are coasting here. We are not giving

it our best or our all. So there is no doubt we have a major productivity problem here in this Chamber. And that needs to change soon.

We have a lot of work we need to do before the end of the year. First on the docket is the National Defense Authorization Act. Each year this legislation provides our military leaders and our servicemembers with the certainty they need to prepare for the threats of today and tomorrow. And those threats are doing nothing but growing on a daily basis. Whether it is China, Russia, Iran, or North Korea, an on-time National Defense Authorization Act is absolutely critical.

Senator WICKER, the Senator from Mississippi, is leading those efforts on our side of the aisle, and I am confident that he and our colleagues on the Armed Services Committee will deliver another strong NDAA. But Senator SCHUMER, the majority leader who is the floor leader, is the one who sets the agenda. He needs to carve out the floor time to make this a priority so we can move on to the Senate's next big task which is funding the government.

Now, as part of the debt limit agreement last week, Senator SCHUMER agreed to bring up all 12 appropriation bills to the Senate floor by September 30. The reason that is so important is that last year in December, Speaker PELOSI and Majority Leader SCHUMER decided, basically, that the rest of us were going to be potted plants and given the opportunity to vote up or down on an Omnibus appropriation bill rather than doing the work of passing each appropriation bill out of committee, across the floor, giving every Senator an opportunity to participate in shaping that legislation. So thank goodness Speaker MCCARTHY was able to negotiate an agreement to get us back to that regular order, a more transparent, more rational process. You would think that with \$31.4 trillion in debt, that the majority leader, Senator SCHUMER, would recognize this as a priority.

But these appropriation bills do some essential things like funding our military, veteran services, border security, and so much more. Again, this is a departure—or what I hope will be a departure—from what we saw in 2021 and 2022, when the Congress and the Democratic-led Senate did not pass a single appropriation bill until that omnibus bill came up in December.

Individual funding bills are the starting point for sound financial decision making here in Washington. They allow us to cut wasteful spending and invest in our priorities. That is what a budget is all about. It is about priorities, and our No. 1 priority needs to be our national security.

Senator COLLINS, the Republican ranking member on the Appropriations Committee, and Senator MURRAY, the



chairman of the Appropriations Committee, are determined to restore common sense to the appropriation process, especially when it comes to defense spending. So I am glad the majority leader agreed to return to the regular appropriations process, and I hope he will stick by his word. The end of September is the deadline, and it is also the deadline for two other major tasks.

One is reauthorizing the Federal Aviation Administration. It is time to modernize the Agency and implement long overdue reforms, and I am glad Senator CRUZ, the junior Senator from Texas, is leading those efforts on our side of the aisle.

Then there is the farm bill, which affects agriculture and food programs across the country. For everything from crop insurance to nutrition programs to rural broadband, passing the farm bill is absolutely vital. The ranking member, Senator BOOZMAN, is no stranger to that process, and he is committed to passing a strong farm bill before the current one expires.

But Congress must pass each one of those bills—both houses of Congress—by September 30. If you include this week, the Senate is in session only 10 weeks before then. So we have no time to waste. As I said, in those 10 weeks, we need to pass the defense authorization bill, 12 appropriations bills, an FAA reauthorization, and a farm bill—and those are just some of the big ticket and most urgent items on the to-do list.

We also need to reauthorize section 702 of the Foreign Intelligence Surveillance Act before it expires at the end of this year. This is an absolutely essential tool used by our intelligence community in order to detect threats to our Nation and our national security, and it is an absolutely must-pass, must-do piece of legislation.

Then, of course, there is the never-ending humanitarian and security crisis at the border. We need to continue our work to crack down on fentanyl trafficking. Again, unleash the power of American energy; ensure that Ukraine, together with our allies, has the tools they need to win its fight against the Russian invasion and so much more.

So I simply don't understand how the Senate can continue to coast at a glacial pace. We have a lot to do for the American people; and the majority leader who sets the floor agenda needs to make sure that we buckle down and get this work done.

I yield the floor.

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.

Mrs. BLACKBURN. 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.

#### VETERANS' HEALTH CARE

Mrs. BLACKBURN. Mr. President, I want to begin today by noting that it is D-day, and 79 years ago today, we had brave men that stormed the beaches at Normandy. There were Tennesseans among those, and Tennesseans have chosen to very selflessly serve this country.

The "Volunteer State" has a long and rich tradition of military service. They have fought in every major conflict in the history of our country, going all the way to the Revolutionary War. Even our moniker, "the Volunteer State," is a nod to that tradition. It was made famous by the 5,000 citizen soldiers of the Tennessee Militia who left their families at the drop of a hat to protect our young nation during the War of 1812.

We have a responsibility to care for the brave men and women who guarantee our freedom for future generations. As a Member of the Senate Veterans Affairs Committee, I have spent the past few years watching various officials fail at this task, especially as it relates to making sure our veterans receive timely access to quality healthcare that they deserve.

Despite increased facility staffing over the past several administrations, despite each administration pushing for internal process improvements and expanded community care and telehealth options, the VA still cannot manage to perform this one basic task, which is timely access to quality healthcare.

There are examples of this. I know the Acting President pro tempore has them in the State of Vermont, and I have them in the State of Tennessee. There is no better illustration of this than with the VA facilities in Dover and Clarksville, TN. These are the only two VA facilities in Tennessee within 50 miles of Fort Campbell, which is the second largest Army installation in the mainland United States. It sits on the Tennessee-Kentucky border.

The Fort Campbell area is home not only to thousands of Active-Duty servicemembers, but thousands more veterans and their families live in this area. So you would think the VA would pay some special attention to this area, but, of course, that is not the case.

If veterans want to see a primary care provider at the VA—now, this is a primary care provider. If these veterans in Tennessee want to see a primary care provider, then, for the Clarksville facility, they have to wait 48 days and 76 days at Dover. Think about that. This is not anecdotal; those were the actual numbers released by the VA at 11:30 this morning. We double-checked the numbers. Think about that. If you have a backache, if you have a cold, if you have bad headaches, if you have a hearing issue, if you have a knee issue, just to see the primary care physician, you will wait 76 days if you are going to the VA facility in Dover, TN.

This is the reality for hundreds of thousands of our veterans across the country. It is absolutely unacceptable. Congress has tried to intervene. The Veterans Community Care Program, which we established as part of the VA MISSION Act of 2018, allows veterans to seek care outside the VA when wait times at those facilities exceed certain benchmarks. The program has helped to alleviate some of those wait times, but it is obvious there is still a lot of work that has to be done on that.

Here is the problem. The problem is that the VA has wrapped this program up in endless layers of redtape. It is obvious that the VA employees and the union, I am sure, are not wanting individuals to get into community care, so what do they do? They try to make this program unacceptable. They don't want veterans in this program.

Just take a look at all of the hoops veterans have to jump through before they can see a doctor. Look at this list. Bear in mind as you look at this list that we promised these veterans—it was part of the promise to them when they enlisted, when they raised their hand, when they took that oath, when they signed up to serve, to protect, to defend this Nation and our freedom. But here is what they have to do. First of all, they have to request the appointment. They can't just show up and say: I need to see a doctor. They have to request it, and they have to wait for the VA to certify that they are eligible and to do an eligibility review.

So they call and request the appointment, and the VA says: We are going to get back to you. First of all, we have to verify your eligibility.

Then it goes into a stack of things to be done. Once the bureaucrats decide they are going to move forward on that request, on that case, the veteran still has to wait for confirmation from the VA that they can indeed go see the doctor. Then they have to wait for the VA to prepare and review a referral for the primary care doctor. Only when that comes in can they finally schedule the appointment.

But they are not done yet. There is still more. Before that veteran can see a doctor, they need an authorization letter from the VA in their hand—a paper copy of an authorization letter from the VA that they take to the VA. How ridiculous can this possibly be?

Once they do finally see a doctor, they have to wait and hope the VA remembers to pay the bill. Then, heaven forbid that veteran needs a followup appointment or another referral.

This is why, in Clarksville, TN, all of these steps take 48 days and, in Dover, TN, 76 days. In some parts of the country, it takes 100 days to see a primary care physician.

This is a bureaucratic nightmare, and our Nation's veterans deserve better than this. If Secretary McDonough and his friends can't get the job done, then Congress is going to need to step in and intervene. That is why I reintroduced the Veterans Health Care Freedom Act, which would allow veterans

to bypass the VA's bureaucracy and choose the care they want to receive.

The bill creates a 3-year pilot program within the VA's Center for Care and Payment Innovation that will take the VA largely out of that referral process. The VA can test-drive this program in at least four different Veterans Integrated Services Networks. Those are called VISNs. It would allow the veterans to find and schedule necessary appointments at non-VA medical facilities.

In other words, if they want to go to a doctor in their hometowns, if they want to go to a hospital in their hometowns, if they are taking cancer treatments and they want to do that at the local hospitals, let them do it, and send the bill to the VA.

It would also require the VA to give veterans information about eligibility requirements, cost sharing, treatments, and providers so that they have the information they need right there at their fingertips to be able to make their decisions.

In doing this, we would give the VA 4 years to figure this out—to run these pilot programs and to figure out how to let veterans get the healthcare they need when they need it and at the facilities that are most convenient for them. Surely to goodness, the VA ought to be able to figure this out in 4 years.

We really owe it to our veterans to get them the best care as quickly as possible. If we want to do that, we have to put more power into their hands. Give them the information, the choices, the options. The bureaucrats have proven to us time and time again that they are just not going to make this easy. They are not going to make it simple for a veteran to access community care.

In Tennessee, I hear from veterans all the time. They are a 2-hour or a 3-hour drive away from a VA facility. Somebody has to take off work and drive them to the appointments. Somebody has to take off work when they have to go back for the referral. Let's let them go in their home communities where they can access the care they need.

I am so committed to continuing to work on this to solve this problem for our Nation's veterans. I am working with Chairman TESTER, Ranking Member MORAN, and my colleagues on the Senate Veterans' Affairs Committee so that we can make good on the promises we have made to our veterans. It is time to stop the false promises to the men and women who have served this Nation.

I would ask each Member of this Chamber for their support in bringing the Veterans Health Care Freedom Act in front of the full committee for consideration.

I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The majority leader.

## LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 166.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Molly R. Silfen, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

### CLOTURE MOTION

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

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

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 166, Molly R. Silfen, of the District of Columbia, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Charles E. Schumer, Debbie Stabenow, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Richard J. Durbin, Alex Padilla, Raphael G. Warnock, Tammy Duckworth, Tina Smith, Martin Heinrich, Peter Welch, Robert P. Casey, Jr., Christopher A. Coons, Elizabeth Warren, Benjamin L. Cardin, Gary C. Peters.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum call for the cloture motion filed today, June 6, be waived.

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

Mr. SCHUMER. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

### NOMINATION OF DAVID CRANE

Mr. BARRASSO. Mr. President, I come to the floor today to rise in opposition to the nomination of David Crane, who has been nominated to serve as the Under Secretary of Energy for Infrastructure. It is a job that involves sending taxpayer money to energy companies. Mr. Crane has no business at all deciding how to spend taxpayer money on energy.

Mr. Crane spent 12 years—a dozen years—as CEO of NRG Energy, a job from which he was fired. It is not hard to see why he was fired. In his own words, he explained it. He said:

We were taking the profits from the coal plants and plowing it into solar development . . . that got to be annoying to the shareholders and to the board of directors of the company.

According to the Wall Street Journal, investors were very unhappy with Mr. Crane's investments in renewable energy. His strategy at the company led to a 59-percent drop in the company's share price the year before his departure. Once he was gone, the company's stock reversed course, with a long and sustained rebound.

Mr. Crane has significantly focused his career on combating climate change, which he has called the "moral imperative of our time." He has called for "name and shame" activism against companies that do not share his extreme vision.

He once wrote that his "green dream"—he said—included being considered "the Mother Teresa of clean energy."

Mr. Crane is welcome to spend his own money however he wishes, but he should not be permitted to waste hundreds of billions of dollars in taxpayer money in his effort—and it is a delusional effort—to be the next Mother Teresa.

America needs proven, reliable, cost-effective energy—affordable, available, reliable. We must unleash American energy production and therefore promote energy security for our Nation.

With our grids stressed and blackouts coming this summer, Mr. Crane has absolutely no interest in reliable energy. Instead, he wants to spend taxpayer money on sources of energy that make us more dependent on our adversaries, like China.

David Crane's record is that of a climate zealot. It is not what we need in this important post at the Department of Energy. We need someone who is dedicated to promoting affordable American energy, reliable American energy, available American energy. David Crane is clearly not that person; nor is he Mother Teresa.

So I urge my colleagues to join me in opposing this terrible nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that we yield back the remaining time and that the vote scheduled at 5:30 p.m. begin.

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

### CLOTURE MOTION

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

The legislative clerk read as follows:

### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby

move to bring to a close debate on the nomination of Executive Calendar No. 179, David Crane, of New Jersey, to be Under Secretary of Energy.

Charles E. Schumer, Joe Manchin III, Thomas R. Carper, Mazie Hirono, Kirsten E. Gillibrand, Margaret Wood Hassan, Tammy Baldwin, Sheldon Whitehouse, Peter Welch, Richard J. Durbin, Richard Blumenthal, Tina Smith, Alex Padilla, Debbie Stabenow, Tammy Duckworth, Chris Van Hollen, Ben Ray Lujan.

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

The question is, Is it the sense of the Senate that debate on the nomination of David Crane, of New Jersey, to be Under Secretary of Energy, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Mrs. MURRAY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from North Dakota (Mr. HOEVEN), the Senator from Kansas (Mr. MORAN), the Senator from Idaho (Mr. RISCH), and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting: the Senator from North Dakota (Mr. HOEVEN) would have voted "yea."

The yeas and nays resulted—yeas 54, nays 40, as follows:

[Rollcall Vote No. 147 Ex.]

#### YEAS—54

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

#### NAYS—40

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

#### NOT VOTING—6

Cotton	Moran	Risch
Hoeven	Murray	Sullivan

The PRESIDING OFFICER (Mr. WARNOCK). The yeas are 54, the nays are 40.

The motion is agreed to.

The majority leader.

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate proceed to the consideration of the following nomination: Calendar No. 165, Craig Anderson for U.S. Marshal for the district of Montana for the term of 4 years, that the Senate vote on the nomination without intervening action or debate, the motion to reconsider be considered made and laid upon the table, and that the President be immediately notified of the Senate's action.

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

The clerk will report.

The legislative clerk read the nomination of Craig J. Anderson, of Montana, to be United States Marshal for the District of Montana for the term of four years.

Thereupon, the Senate proceeded to the nomination.

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

The nomination was confirmed.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

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

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

#### SHORT LINE RAIL ADVOCACY DAY

Mr. GRASSLEY. Mr. President, in recognition of Short Line Rail Advocacy Day, which was on May 17, I want to speak about the important services short line railroads provide to their customers and the entire economy. I also want to highlight the importance of the railroad track maintenance credit, otherwise known as the short line credit, for maintaining a robust network of short line rail.

The short line credit is available to what are known as class II and class III railroads, which are categorized based on revenue thresholds set by the Surface Transportation Board. This tax credit is not available to the large national and international railroads most people are probably familiar with. While the short line railroads generally operate in a relatively small area, they have a massive impact.

Short line railroads serve a key role in transporting manufactured goods and agricultural products from factories and farms to markets in the U.S. and beyond. They often serve as the "first and last mile" in our Nation's freight transportation network. These links to the rest of the world are crucial to Iowa's economic competitiveness and communities across the country. Nearly half of Iowa's railroad

miles are operated by 13 small railroads that transport more than 300,000 carloads of material a year.

Support of short line railroads has been a long-standing bipartisan priority. Next year will mark the 20th anniversary of the short line credit. Though the credit has spent most of its existence as a tax extender, as then chairman of the Finance Committee, I helped to create the credit and later led a successful effort to make the credit permanent in 2020. I had a lot of support, which is reflected in the fact that legislation that was sponsored by Senator CRAPO, current ranking member of the Finance Committee, to make the credit permanent had 62 cosponsors.

The short line credit provides smaller regional and local railroads a tax credit for a percentage of amounts spent to upgrade and maintain miles of railroad track. However, these small railroads operate on tight margins, and many have insufficient tax liability to claim the credit against.

To address this issue, the law allows short line railroads to assign the credit to another short line, or to a customer. The assigning railroad typically recognizes income for cash received and the assignee deducts payments made. This arrangement ensures that all short line railroads are able to fully utilize the credit.

This year on Short Line Rail Advocacy Day, many of the Nation's 600 short line railroads visited offices on Capitol Hill to remind us of the critical role they play in the industry. According to the American Short Line and Regional Railroad Association, nearly 30 percent of our national rail network, or roughly 50,000 miles of track, is operated by short lines who at some point handle a quarter of all rail cars moving through the national rail system.

It is important we understand and appreciate what these local and regional railroads do for our communities, and our whole economy.

#### U.S. SENATE VEHICLE AND ALTERNATE VEHICLE PARKING REGULATIONS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent to print the U.S. Senate vehicle and alternate vehicle parking regulations, adopted by the Committee on Rules and Administration on May 17, 2023, in the RECORD.

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

#### U.S. SENATE VEHICLE AND ALTERNATE VEHICLE PARKING REGULATIONS

##### ADOPTED BY THE COMMITTEE ON RULES AND ADMINISTRATION ON MAY 17, 2023

1.0 Scope—These regulations describe the eligibility and processes Senators and eligible staff shall use to request, register, and obtain parking permits for vehicles and alternate vehicles to be parked in Senate garages.

2.0 Definitions—For purposes of these regulations, the following terms shall have the meaning specified.

2.1 Rules Committee means the U.S. Senate Committee on Rules and Administration.

2.2 Alternate vehicle means a personally owned vehicle, other than an automobile, motorcycle, personal assistance mobility access device, or rental vehicle, including but not limited to bicycles, motorized skateboards, and manual and electric scooters.

2.3 Committee office means the office of a standing, select, or joint committee of the U.S. Senate.

2.4 Congressional ID means a current congressional identification badge issued by the Senate Sergeant at Arms.

2.5 Disbursing office means the Secretary of the Senate's Disbursing Office.

2.6 Eligible staff means employees of the Senate, employees of the Superintendent's Office, or employees of the United States Capitol Police.

2.7 Leadership office means the office of the U.S. Senate Majority and Minority Leaders, Majority and Minority Whips, party conferences, and party policy committees.

2.8 Member office means the office of a U.S. Senator.

2.9 Permit means an identification sticker affixed to a vehicle or alternate vehicle authorizing parking in a Senate garage.

2.10 Permit holder means an eligible staffer that is registered with and issued a permit by the Rules Committee.

2.11 SAA means the Senate Sergeant at Arms.

2.12 Senate garage means the underground parking areas in the Dirksen, Hart, and Russell Senate Office Buildings administered by the Superintendent's Office.

2.13 Senate support office means the office of an internal congressional entity that provides services to the Senate, including the Architect of the Capitol, the Senate Sergeant at Arms, the Secretary of the Senate, Senate Legal Counsel, Senate Legislative Counsel, and the United States Capitol Police.

2.14 Superintendent's office means the Architect of the Capitol's Senate Superintendent Office.

2.15 TransAACT means the web-based program administered by the Senate Sergeant at Arms that allows eligible offices to request vehicle and alternate vehicle parking permits.

2.16 USCP means the United States Capitol Police.

2.17 Vehicle means a personally owned, leased, or rented automobile or motorcycle.

3.0 General Use of Garage Vehicle Parking Spaces and Alternate Vehicle Parking Racks—The use of the garage parking spaces for vehicles and parking racks for alternate vehicles is on a first-come, first-served basis.

3.1 Permit holders must park in their assigned garage and parking level.

3.2 Permit holders must present their Congressional ID and display their parking permit to USCP at their assigned garage entrances.

3.3 Permit holders assigned a Member parking permit must park in a Member parking space.

3.4 Permit holders must park vehicles in the designated garage parking spaces and alternate vehicles in the designated garage parking racks in a manner that does not interfere with others' ability to utilize the racks and that does not interfere with adjacent parking spaces.

3.4.1 Personal property, vehicles, and alternate vehicles that obstruct access to a parking space or parking rack will be moved immediately.

3.5 Permits shall only be used by the permit holder and are not transferrable to other vehicles or alternate vehicles.

3.6 Alternate vehicles may not use garage electric chargers.

3.7 SAA outdoor Member license plates are not authorized garage parking permits and cannot be used to park in the Senate garages.

3.7.1 A driver for a Senator may use the SAA outdoor Member license plate to enter a Senate garage to drop off or pick up a Senator at an interior garage door, but must exit the garage after doing so.

3.8 The Senate, the Superintendent's Office, and the USCP are not responsible for lost, damaged, or stolen personal property.

4.0 Permit Eligibility—Senators and eligible staff with a valid Congressional ID granting 24-hour building access are eligible for a vehicle or alternate vehicle permit. In no case shall the number of permits issued by the Rules Committee exceed the number of available spaces in any Senate garage.

4.1 Member offices are provided five vehicle parking spaces based on the location of their base suite assignment each Congress.

4.2 Committee offices are provided six vehicle parking spaces based on the location of their official reception room.

4.3 Leadership offices and Senate support offices are provided parking spaces at the discretion of the Rules Committee.

4.4 The Rules Committee issues alternate vehicle permits on a first-come, first-served basis.

4.5 Eligibility for alternate vehicle parking permits is in addition to other vehicle parking and federal transit benefits.

4.6 A permit holder may register up to two vehicles under one vehicle permit.

4.7 A permit holder may register up to two alternate vehicles under one alternate vehicle permit.

5.0 Permit Registration—Eligible staff must submit a permit application through their employing office's TransAACT account.

5.1 The TransAACT permit application requires the registrant's name, office phone number, cell phone number, email address, employing office, license plate number (if applicable), and the make, model/style, and color of the vehicle or alternate vehicle.

5.2 Approved permit holders must provide their Congressional ID and vehicle or alternate vehicle to the Senate Garage Administrative Office, SH-G12, to receive the approved permit.

5.3 The Superintendent's Office will attach the permit in an easily identifiable location.

6.0 Permit Renewal—Permits must be renewed by a permit holder's employing office each Congress.

6.1 The Rules Committee will contact each office for permit renewal information.

6.2 Permit holders approved for renewed permits must bring their Congressional ID and vehicle or alternate vehicle to the Superintendent's Senate Garage Administrative office for the new permit.

6.3 Permit holders may request the Superintendent's office either place the new permit over the previous permit or remove the previous permit and place the new permit in the same position. The Superintendent's office is not responsible for damage caused by removal or placement of a permit.

6.4 Permit holders who either leave Senate employment or whose permits are not renewed must immediately stop using the garage parking spaces and parking racks and bring their vehicle or alternate vehicle to the Superintendent's Senate Garage Administrative office for permit removal.

7.0 Individually Assigned Parking—Any permit holder may submit a written request to the Rules Committee for approval to have an assigned parking space. Upon approval, the Rules Committee shall notify the Disbursing office for the purposes of determining the taxable income, if any, pursuant to the Internal Revenue Code.

8.0 Parking Space Loans—A Member or Committee office is permitted to loan their

assigned vehicle parking spaces to another Member, Committee, Leadership, or Senate support office with a written request to, and approval of, the Rules Committee.

8.1 Vehicle parking space loans must be renewed by the loaning office each Congress with a written request to, and approval of, the Rules Committee.

9.0 Noncompliance—Vehicles and alternate vehicles may not be stored in a Senate garage. The Superintendent's Office conducts regular inspections and will notify vehicle and alternate vehicle owners of noncompliance with these regulations, including for the following: failure to display a valid permit; parking outside of a designated area; and storing or abandoning a vehicle or alternate vehicle in a Senate garage.

9.1 Any vehicle or alternate vehicle that remains unmoved for more than five weeks will be considered as being stored.

9.2 Notice of violation(s) will be placed on the vehicle or alternate vehicle.

9.3 After the fourth notice of violation within a 30-day period without subsequent cure by the permit holder, the Superintendent's office will notify the USCP to remove the vehicle or alternate vehicle and process it as abandoned property.

9.4 Owners of vehicles or alternate vehicles removed from Senate garages should contact the USCP for information regarding its abandoned property policy.

#### VOTE EXPLANATION

Mr. WARNER. Mr. President, I was absent on Wednesday May 31, 2023, for rollcall vote No. 134. Had I been present, I would have voted nay on the motion to proceed to H.J. Res. 45, providing for the congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Waivers and Modifications of Student Loans".

Mr. President, I was absent on Wednesday May 31, 2023, for rollcall vote No. 135. Had I been present, I would have voted nay on H.J. Res. 45, providing for the congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to "Waivers and Modifications of Student Loans".

#### 250TH ANNIVERSARY OF WALDOBORO

Ms. COLLINS. Mr. President, I rise today to commemorate the 250th anniversary of the town of Waldoboro, ME. Waldoboro was built with a spirit of determination and resiliency that still guides the community today, and this is a time to celebrate the generations of hard-working and caring people who have made it such a wonderful place to live, work, and raise families.

The year of Waldoboro's incorporation, 1773, is but one milestone in a long journey of progress. For thousands of years, the land where the Medomak River meets the Atlantic Ocean was the home of the Abenaki Tribe, who hunted and fished in the abundant region. The reverence the Abenaki had for the natural beauty and resources of the area is upheld by the people of Waldoboro today.

Waldoboro's roots run deep into American history. It originally was part of the lands granted by the British Crown to the Plymouth Colony in the early 1600s but remained unsettled frontier for more than a century. In 1729, a portion was acquired by General Samuel Waldo of Boston and a village called Broad Bay was established. Ongoing conflicts between England and France for control of the region stifled settlement until a peace treaty was reached in 1748.

In order to stimulate growth, General Waldo visited his family's ancestral home in Germany in 1752 and recruited about 1,500 immigrants. The industrious settlers created productive farms, saw mills and grain mills, churches, and a school to build a true community. On June 29, 1773, the settlement was incorporated as Waldoboro in honor of its founder.

The arrival of the railroad in the 19th century spurred greater development, including ironworks and textile and furniture mills. As Maine became a shipbuilding center, Waldoboro was at the forefront. On December 1, 1888, the first five-masted schooner and the largest cargo vessel in the world at the time, the *Governor Ames*, was launched at the Leavitt-Storer Shipyard in Waldoboro. Today, Waldoboro proudly cherishes its role in creating the pinnacle of wooden shipbuilding as "The Home of the Five-Masted Schooner."

The German influence in Waldoboro is evident in such cottage industries as cheesemaking and brewing. The town is known for its contributions to the fabric arts, and the luxurious "Waldoboro Style" of hooked rugs is a favorite among collectors. Among Waldoboro's architectural treasures is the well-preserved 1772 Old German Meeting House.

The cemetery of that historic Lutheran church is the final resting place of Conrad Heyer, a Revolutionary War veteran who possibly crossed the Delaware with General Washington in 1776. In 1852, he posed for a photograph at age 103 and is believed to have been the earliest born person ever to have been photographed.

Today, visitors and residents alike enjoy Waldoboro's thriving arts community, beautiful historic buildings, and exciting outdoor recreation opportunities. The energy and planning that are going into the town's 250th anniversary celebration demonstrate the pride townspeople have in their town.

Waldoboro's 250th anniversary is not merely about the passing of time. It is about human accomplishment. We celebrate the people who, for longer than America has been a nation, have pulled together, cared for one another, and built a great community. Thanks to those who came before, Waldoboro, ME, has a wonderful history. Thanks to those there today, it has a bright future.

## ADDITIONAL STATEMENTS

### TRIBUTE TO FRANK A. LA MARCA

• Mr. CRAPO. Mr. President, along with my colleagues Senator JIM RISCH and Representative MIKE SIMPSON, I congratulate Frank A. La Marca, who is retiring from leading employee training for Idaho Environmental Coalition LLC, IEC, which supports the environmental cleanup mission at the Idaho National Laboratory, INL, Site.

Effective training of employees is a fundamental part of the success of any workforce. It is especially critical in the nuclear sector where employees cannot falter in meeting safety requirements to ensure not only their personal safety, but also the safety of the public and surrounding natural resources. As senior manager of site training for Fluor and IEC for the past 7 years and in this position for CH2M-Washington Group Idaho, CH2M-WG, the 7 years prior, Frank La Marca has been responsible for ensuring compliance with U.S. Department of Energy, DOE, Nuclear Facility Training requirements at all Idaho Cleanup Project INL Site projects. This is certainly an enormous and essential responsibility. Before serving in this position, he was responsible for hiring and providing human resource services for more than 700 employees in three organizations for CH2M-WG. His list of completed courses, certifications, and program proficiencies is extensive.

Frank's career objective has been to "lead a team of professionals that will strive for new challenges in order to make a company successful in fulfilling their goals while providing opportunities for personal growth," and he can retire knowing he has more than met this respectable goal. Frank's years of instruction and mentorship has, no doubt, played a key part in helping employees at the INL Site safely meet strategic milestones, such as the completion of the transfer of all spent nuclear fuel from wet to dry storage more than 9 months ahead of the 1995 Idaho Settlement Agreement milestone.

The connections Frank has made with people and the objectives he has advanced while carrying out crucial work will leave a lasting legacy. We would like to thank Frank for his commitment to enabling so many Idahoans to do indispensable work that has accelerated the cleanup at the INL and, in the process, protected Idaho's citizens. Congratulations on your remarkable career. We wish you all the best in your well-earned retirement.●

### REMEMBERING JEREMY JONES

• Mr. TESTER. Mr. President, today I would like to honor the life and service of a distinguished Montanan and U.S. Army Special Forces veteran: the late Jeremy Jones.

A native son of Montana, Jeremy was born and raised in Whitefish, MT. He

was an American hero who spent the majority of his adult life risking his life to serve this country. As a troop sergeant major with 1st Special Forces Operational Detachment-Delta, Jeremy served in more than a dozen combat tours in Iraq and Afghanistan over the course of an almost 30-year career in the Army and Joint Special Operations Command. He received numerous combat medals and citations for his extraordinary service and sacrifice in that time, including three Bronze Stars.

After retiring honorably from the Army, Jeremy transitioned to civilian life in North Carolina where he gave back to his community, had good friends, and was an avid fisherman and golfer. He was a critical member of the Knowmadics team, where he worked on programs to protect warfighters and train the next generation of cyber professionals. Most importantly, he was a loving father to his children Bobby and Jess.

On May 14, 2023, Jeremy passed away at the age of 44. Today, it is my honor to commemorate his service and legacy. We owe Jeremy a debt of gratitude that can never be fully repaid. Raising the flag over the U.S. Capitol in his honor is just a small token of our deep appreciation for his service and valor.

On behalf of myself and a grateful nation, I commend Mr. Jeremy Jones and extend our deepest appreciation to him and his family. His legacy will continue to be felt by warfighters for years to come, and he will be sorely missed.●

### TRIBUTE TO JAMES BARNES

• Mr. TUBERVILLE. Mr. President, this month, I am proud to recognize 96-year-old James Barnes of Abbeville, AL. Mr. Barnes was so eager to serve his country that he didn't want to wait until he turned 18 to enlist in the military. So, at age 17, he convinced his dad to sign a parental consent form allowing him to join the U.S. Navy, where he became a radioman third class. He recalls the elder Mr. Barnes saying that giving him permission was one of the hardest things he ever did. Yet he recognized his son's noble desire to serve. Mr. Barnes traveled the world aboard the U.S.S. *LCI 963* and *965*, with stops in the Philippines and China to promote global stability after World War II.

After his military service, Mr. Barnes returned home to Henry County, where he began farming peanuts, helping keep the Wiregrass region at the forefront of our national peanut production. Additionally, Mr. Barnes provided a critical service to people in the Wiregrass, faithfully delivering mail for the U.S. Postal Service for more than 38 years, before his retirement in 1990. He is still involved with American Legion Post 119 and Adoniram Baptist Church, where he has served as secretary, treasurer, and a deacon, over the course of more than 50 years.

Although Mr. Barnes is a humble man, members of his community will

tell you what a fixture he is in the local area. They describe him as "a true Henry County hero who represents all that is great about our country." When asked what the secret to his long life is, Mr. Barnes advised, "No smoking, no drinking, and a lot of country cooking."

Alabama is thankful for Mr. Barnes' many contributions to our State and country, and I am proud to recognize him as the June Veteran of the Month.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Kelly, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

##### ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2023, the Secretary of the Senate, on June 2, 2023, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. McHENRY) has signed the following enrolled bill:

H.R. 3746. An act to provide for a responsible increase to the debt ceiling.

Under the authority of the order of the Senate of January 3, 2023, the enrolled bill was signed on June 2, 2023, during the adjournment of the Senate, by the Acting President pro tempore (Ms. DUCKWORTH).

#### MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 835. An act to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws.

H.R. 1579. An act to amend the Securities Act of 1933 and the Dodd-Frank Wall Street Reform and Consumer Protection Act with respect to the definition of accredited investor, and for other purposes.

H.R. 2593. An act to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors.

H.R. 2608. An act to amend the Federal securities laws to specify the periods for which financial statements are required to be pro-

vided by an emerging growth company, and for other purposes.

H.R. 2610. An act to amend the Securities Exchange Act of 1934 to specify certain registration statement contents for emerging growth companies, to permit issuers to file draft registration statements with the Securities and Exchange Commission for confidential review, and for other purposes.

H.R. 2793. An act to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes.

H.R. 2812. An act to require the Securities and Exchange Commission to carry out a study of the costs associated with small- and medium-sized companies to undertake initial public offerings.

H.J. Res. 62. Joint resolution providing for the reappointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 63. Joint resolution providing for the appointment of Antoinette Bush as a citizen regent of the Board of Regents of the Smithsonian Institution.

H.J. Res. 64. Joint resolution providing for the reappointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 43. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

#### MEASURES REFERRED

The following bills and joint resolutions were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 835. An act to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1579. An act to amend the Securities Act of 1933 and the Dodd-Frank Wall Street Reform and Consumer Protection Act with respect to the definition of accredited investor, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2593. An act to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2608. An act to amend the Federal securities laws to specify the periods for which financial statements are required to be provided by an emerging growth company, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2610. An act to amend the Securities Exchange Act of 1934 to specify certain registration statement contents for emerging growth companies, to permit issuers to file draft registration statements with the Securities and Exchange Commission for confidential review, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2793. An act to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2812. An act to require the Securities and Exchange Commission to carry out a

study of the costs associated with small- and medium-sized companies to undertake initial public offerings; to the Committee on Banking, Housing, and Urban Affairs.

H.J. Res. 62. Joint resolution providing for the reappointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

H.J. Res. 63. Joint resolution providing for the appointment of Antoinette Bush as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

H.J. Res. 64. Joint resolution providing for the reappointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on Rules and Administration.

#### 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-1307. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4057" ((RIN2120-AA65) (Docket No. 31483)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1308. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4058" ((RIN2120-AA65) (Docket No. 31484)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1309. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4053" ((RIN2120-AA65) (Docket No. 31478)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1310. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4054" ((RIN2120-AA65) (Docket No. 31479)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1311. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4051" ((RIN2120-AA65) (Docket No.



31476)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1312. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4055" ((RIN2120-AA65) (Docket No. 31481)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1313. 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 Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4056" ((RIN2120-AA65) (Docket No. 31482)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1314. 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 and Revocation of Air Traffic (ATS) Routes in the Eastern United States" ((RIN2120-AA66) (Docket No. FAA-2023-0061)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1315. 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; Rantoul, IL" ((RIN2120-AA66) (Docket No. FAA-2023-0036)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1316. 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; Vinita, OK" ((RIN2120-AA66) (Docket No. FAA-2022-0759)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1317. 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; Key West, FL" ((RIN2120-AA66) (Docket No. FAA-2022-1613)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1318. 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; New Coalings Municipal Airport, CA" ((RIN2120-AA66) (Docket No. FAA-2022-1440)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1319. 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; Smithville, TX" ((RIN2120-AA66) (Docket No. FAA-2022-1443)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1320. 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 C Airspace; Greenville-Spartanburg Airport, Greer, SC" ((RIN2120-AA66) (Docket No. FAA-2023-0442)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1321. 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; Boswell, Airport, CA" ((RIN2120-AA66) (Docket No. FAA-2022-1454)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1322. 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; Delphi, IN" ((RIN2120-AA66) (Docket No. FAA-2022-1117)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1323. 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; Watertown, SD" ((RIN2120-AA66) (Docket No. FAA-2023-0034)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1324. 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-2023-0037)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1325. 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; Sulphur Springs, TX" ((RIN2120-AA66) (Docket No. FAA-2023-0037)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1326. 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; St. James, MI"

((RIN2120-AA66) (Docket No. FAA-2023-0077)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1327. 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 High Altitude Area Navigation (RNAV) Route Q-101; Eastern United States" ((RIN2120-AA66) (Docket No. FAA-2023-0049)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1328. 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; Bloomington/Normal, IL" ((RIN2120-AA66) (Docket No. FAA-2023-0035)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1329. 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; Antlers, OK" ((RIN2120-AA66) (Docket No. FAA-2023-0038)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1330. 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; Altoona, PA" ((RIN2120-AA66) (Docket No. FAA-2023-0039)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1331. 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; Rogers, Springdale, and Bentonville, AR" ((RIN2120-AA66) (Docket No. FAA-2022-0546)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1332. 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; Kissimmee, FL" ((RIN2120-AA66) (Docket No. FAA-2023-0694)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1333. 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 during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1334. 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; Ellsworth, Augusta, and Waterville, ME" ((RIN2120-AA66) (Docket No. FAA-2023-0099)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1335. 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, Key West, FL" ((RIN2120-AA66) (Docket No. FAA-2022-1613)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1336. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace, Liberty, NC" ((RIN2120-AA66) (Docket No. FAA-2022-1680)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1337. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Very High Frequency (VHF) Omnidirectional Range (VOR) Federal Airway V-489; Galena, AK" ((RIN2120-AA66) (Docket No. FAA-2023-0512)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1338. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Segments of V-330 and Establishment T-470 Near Boise, ID" ((RIN2120-AA66) (Docket No. FAA-2023-0235)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1339. 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, Calvert, KY" ((RIN2120-AA66) (Docket No. FAA-2023-0138)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1340. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Visalia Municipal Airport, Visalia, CA" ((RIN2120-AA66) (Docket No. FAA-2022-1445)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1341. 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 39-22415" ((RIN2120-AA66)

(Docket No. FAA-2022-1659)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1342. 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; Bombardier, Inc. Airplanes; Amendment 39-22416" ((RIN2120-AA66) (Docket No. FAA-2023-0164)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1343. 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 39-22408" ((RIN2120-AA66) (Docket No. FAA-2022-1403)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1344. 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; Gulfstream Aerospace Corporation Airplanes; Amendment 39-22418" ((RIN2120-AA66) (Docket No. FAA-2022-1486)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1345. 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; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes; Amendment 39-22436" ((RIN2120-AA66) (Docket No. FAA-2023-1044)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1346. 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 39-22409" ((RIN2120-AA66) (Docket No. FAA-2023-1474)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1347. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation and Revocation of VOR Federal Airways; Eastern United States Amendment and Revocation of VOR Federal Airways; Northeast United States" ((RIN2120-AA66) (Docket No. FAA-2022-1027)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1348. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amend-

ment of Class D and Class E Airspace; Beaufort, SC" ((RIN2120-AA66) (Docket No. FAA-2023-0070)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1349. 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; Shelbyville, TN" ((RIN2120-AA66) (Docket No. FAA-2023-0189)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1350. 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, and Revocation of Class E Airspace; Quantico, VA" ((RIN2120-AA66) (Docket No. FAA-2022-1233)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1351. 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; Lemoore Naval Air Station (NAS) (Reeves Field), CA" ((RIN2120-AA66) (Docket No. FAA-2022-1455)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1352. 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 V-171 in the Vicinity of Roseau, MN" ((RIN2120-AA66) (Docket No. FAA-2022-1586)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1353. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Federal Colored Airway A-9; Bettles, AK" ((RIN2120-AA66) (Docket No. FAA-2022-1267)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1354. 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 Very High Frequency (VHF) Omnidirectional Range (VOR) Federal Airways V-6, V-338, V-494, and United States Area Navigation (RNAV) Route T-331" ((RIN2120-AA66) (Docket No. FAA-2023-0501)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1355. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Colored Airway Blue 38 (B-38) and Blue 40 (B-40); Haines, AK" ((RIN2120-AA66) (Docket No. FAA-2022-1769)) received during adjournment of the Senate in the Office of the President of the Senate on May 26, 2023;

EC-1377. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to

EC-1398. 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 39-22411" ((RIN2120-AA64) (Docket No. FAA-2023-0925)) received during adjournment of the Senate in the Office of the President of the Senate on May 22,

2023; to the Committee on Commerce, Science, and Transportation.

EC-1399. 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 39-22393" ((RIN2120-AA64) (Docket No. FAA-2023-0019)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1400. 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 39-22398" ((RIN2120-AA64) (Docket No. FAA-2023-0023)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1401. 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 39-22394" ((RIN2120-AA64) (Docket No. FAA-2022-1581)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1402. 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; ATR-GIE Avions de Transport Regional Airplanes; Amendment 39-22387" ((RIN2120-AA64) (Docket No. FAA-2023-0012)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1403. 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; Bombardier, inc. Airplanes; Amendment 39-22387" ((RIN2120-AA64) (Docket No. FAA-2022-1572)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1404. 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; Bombardier, inc. Airplanes; Amendment 39-22390" ((RIN2120-AA64) (Docket No. FAA-2022-1654)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1405. 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 39-22384" ((RIN2120-AA64) (Docket No. FAA-2023-0013)) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1406. A communication from the Assistant Secretary, Legislative Affairs, Depart-

ment of State, transmitting, pursuant to law, a certification entitled "Certification of Sea Turtles" received in the Office of the President pro tempore; to the Committee on Commerce, Science, and Transportation.

EC-1407. A communication from the Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Federal Communications Commission released a Report and Order entitled The Uniendo a Puerto Rico Fund and the Connect USVI Fund, Connect America Fund" ((RIN3060-AF85) (FCC 23-32) (WC Docket Nos. 18-143, 10-90)) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1408. A communication from the Chief, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Unlicensed White Space Device Operations in the Television Bands; Amendment of Part 15 of the Commission's Rules for Unlicensed Operations in the Television Bands, Repurposed 600 MHz Band, 600 MHz Guard Bands and Duplex Gap, and Channel 37" ((FCC 23-24) (ET Docket Nos. 20-36 and 14-165)) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1409. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Establishing Rules for Digital Low Power Television and Television Translator Stations" ((MB Docket Nos. 03-185 and 22-261) (FCC 23-25)) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1410. A communication from the Chief of the Branch of Coastal and Marine Resources, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Marine Mammals; Incidental Take of Northern Sea Otters During Specified Activities; the Gulf of Alaska" (RIN1018-BG05) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1411. A communication from the Attorney Advisor of the Regulatory Affairs Division, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments: Technical Corrections; Response to Petitions for Reconsideration" (RIN2137-AF39) received in the Office of the President of the Senate on May 10, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1412. A communication from the Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Second Report and Order" (FCC 23-31) (WC Docket No. 18-155) received during adjournment of the Senate in the Office of the President of the Senate on May 22, 2023; to the Committee on Commerce, Science, and Transportation.

EC-1413. A communication from the Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Advanced Methods to Target and Eliminate Unlawful Robocalls, Call Authentication Trust Anchor" ((RIN3060-AL00) (CG Docket No. 17-59) (WC Docket No. 17-97)) received in the Office of the President of the

Senate on May 26, 2023; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DURBIN, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 474. A bill to amend title 18, United States Code, to strengthen reporting to the CyberTipline related to online sexual exploitation of children, to modernize liabilities for such reports, to preserve the contents of such reports for 1 year, and for other purposes.

## EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations:

[Treaty Doc 112-8 Tax Convention with Chile (Ex. Rept. 118-1)]

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

*Resolved (two-thirds of the Senators present concurring therein),*

Section 1. Senate Advice and Consent Subject to Reservations and Declarations

The Senate advises and consents to the ratification of the Convention Between the Government of the United States of America and the Government of the Republic of Chile for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Washington February 4, 2010, with a Protocol signed the same day, as corrected by exchanges of notes effected February 25, 2011, and February 10 and 21, 2012, and a related agreement effected by exchange of notes on February 4, 2010 (the "Convention") (Treaty Doc. 112 098), subject to the reservations of section 2 and the declarations of section 3.

### Section 2. Reservations

The advice and consent of the Senate under Section 1 is subject to the following reservations, which shall be included in the instrument of ratification:

(1) Nothing in the Convention shall be construed as preventing the United States from imposing a tax under section 59A, entitled the "Tax on Base Erosion Payments of Taxpayers with Substantial Gross Receipts," of the Internal Revenue Code (as it may be amended from time to time) on a company that is a resident of the United States or the profits of a company that is a resident of Chile that are attributable to a permanent establishment in the United States.

(2) Paragraph 1 of Article 23 (Relief from Double Taxation) of the Convention shall be deleted and replaced by the following:

"1. In accordance with the provisions and subject to the limitations of the law of the United States (as it may be amended from time to time without changing the general principle thereof):

a) the United States shall allow to a resident or citizen of the United States as a credit against the United States tax on income applicable to residents and citizens the income tax paid or accrued to Chile by or on behalf of such citizen or resident. For the purposes of this subparagraph, the taxes referred to in subparagraph b) of paragraph 3 and paragraph 4 of Article 2 (Taxes Covered), excluding taxes on capital, shall be considered income taxes; and

b) in the case of a United States company owning at least 10 percent of the aggregate vote or value of the shares of a company that is a resident of Chile and from which the United States company receives dividends, the United States shall allow a deduction in the amount of such dividends in computing the taxable income of the United States company."

#### Section 3. Declarations

The advice and consent of the Senate under section 1 is subject to the following declarations:

- (1) The Convention is self-executing.
- (2) In light of substantial changes made to the international provisions of the Internal Revenue Code in 2017, the Senate declares that future tax treaties need to reflect such changes appropriately, including in Article 23. Therefore, based on discussions with the U.S. Department of the Treasury, additional work is required to evaluate the policy of Article 23 in addressing relief of double taxation and to agree on whether further changes to the terms of the Article are necessary for future income tax treaties.

### 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 Ms. CORTEZ MASTO (for herself and Mr. CASSIDY):

S. 1805. A bill to amend the Internal Revenue Code of 1986 to expand housing investment with mortgage revenue bonds, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Ms. CANTWELL, Ms. COLLINS, Mr. MERKLEY, Mr. SULLIVAN, Mr. KING, Mr. WHITEHOUSE, and Mrs. MURRAY):

S. 1806. A bill to establish Ocean Innovation Clusters to strengthen the coastal communities and ocean economy of the United States through technological research and development, job training, and cross-sector partnerships, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. ERNST:

S. 1807. A bill to require agencies to notify the Director of the Office of Management and Budget when the agency suspends or terminates a Federal award, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Ms. COLLINS, Mr. PETERS, Mr. SULLIVAN, Mr. KING, Mr. MARKEY, Mr. BLUMENTHAL, and Ms. WARREN):

S. 1808. A bill to amend the Federal Ocean Acidification Research And Monitoring Act of 2009 to require the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to collaborate with State and local governments and Indian Tribes on vulnerability assessments related to ocean acidification, research planning, and similar activities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BOOKER:

S. 1809. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish an Office of Small Farms, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself and Mrs. CAPITO):

S. 1810. A bill to establish a grant program for family community organizations that

provide support for individuals struggling with substance use disorder and their families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER:

S. 1811. A bill to ensure treatment in the military based on merit and performance, and for other purposes; to the Committee on Armed Services.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, and Mr. WELCH):

S. 1812. A bill to modify the exemption for trade secrets and commercial or financial information in the Freedom of Information Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ:

S. 1813. A bill to increase accessible transportation for individuals with disabilities; to the Committee on Commerce, Science, and Transportation.

By Mr. HEINRICH (for himself, Mr. LUJAN, Mr. WELCH, and Mr. PADILLA):

S. 1814. A bill to authorize security deposit and moving costs assistance for low-income households, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. CORTEZ MASTO (for herself, Mrs. BLACKBURN, Mr. KENNEDY, and Mr. VAN HOLLEN):

S. 1815. A bill to amend the Internal Revenue Code of 1986 to modify the rules for postponing certain deadlines by reason of disaster; to the Committee on Finance.

By Mr. FETTERMAN (for himself and Mr. CASEY):

S. 1816. A bill to amend the Federal Crop Insurance Act to require research and development regarding a policy to insure the production of mushrooms; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. ROSEN (for herself, Mr. BOOZMAN, and Mr. BLUMENTHAL):

S. 1817. A bill to direct the Secretary of Transportation to establish in the Department of Transportation a drone infrastructure inspection grant program and a drone education and training grant program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON:

S. 1818. A bill to amend title 23, United States Code, to require the Secretary of Transportation to waive vehicle weight limitations for certain logging vehicles, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. SCHATZ, Mr. KAINE, Mrs. FEINSTEIN, Mr. DURBIN, Mr. CASEY, Mr. WYDEN, Mr. WHITEHOUSE, Mr. BROWN, Mr. WELCH, Mr. MERKLEY, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. PADILLA, Mr. SANDERS, Ms. HIRONO, Mr. REED, Mr. BOOKER, Mr. CARDIN, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. MURPHY, Ms. SMITH, Mr. COONS, Mr. VAN HOLLEN, and Mr. CARPER):

S. 1819. A bill to amend chapter 44 of title 18, United States Code, to prohibit the distribution of 3D printer plans for the printing of firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 1820. A bill to amend titles XIX and XXI of the Social Security Act to provide a consistent standard of health care to incarcerated individuals, and for other purposes; to the Committee on Finance.

By Mr. WELCH (for himself and Ms. MURKOWSKI):

S. 1821. A bill to amend the Farm Security and Rural Investment Act of 2002 to modify provisions relating to the rural energy savings program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. PETERS (for himself and Mr. CORNYN):

S. 1822. A bill to require U.S. Customs and Border Protection to expand the use of non-intrusive inspection systems at land ports of entry; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNOCK (for himself and Ms. MURKOWSKI):

S. 1823. A bill to amend title 37, United States Code, to increase the basic allowance for housing inside the United States for members of the uniformed services; to the Committee on Armed Services.

By Mr. MARKEY (for himself and Ms. WARREN):

S. 1824. A bill to provide grants to States to encourage the implementation and maintenance of firearms licensing requirements, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. HIRONO, Mr. BOOKER, Ms. WARREN, and Mr. MENENDEZ):

S. 1825. A bill to require the Financial Crimes Enforcement Network to issue an advisory about how homegrown violent extremists and other perpetrators of domestic terrorism procure firearms and firearm accessories, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY (for himself, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Mr. WYDEN, Mr. WHITEHOUSE, Mr. WELCH, Mr. PADILLA, Mr. MENENDEZ, Mr. REED, Mr. BOOKER, Mr. CARDIN, Ms. DUCKWORTH, Mr. MURPHY, Ms. HIRONO, Ms. SMITH, and Mr. VAN HOLLEN):

S. 1826. A bill to ensure greater accountability by licensed firearms dealers; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Mr. CORNYN):

S. 1827. A bill to strengthen the requirements for reviews by the Committee on Foreign Investment in the United States of covered transactions involving genetic information, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself and Mr. TUBERVILLE):

S. 1828. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to recognize nurse registries for purposes of the Veterans Community Care Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO (for himself, Ms. HASSAN, and Ms. ROSEN):

S. 1829. A bill to impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic of Iran, and for other purposes; to the Committee on Foreign Relations.

By Mrs. BLACKBURN (for herself and Mr. WARNER):

S. 1830. A bill to prohibit the Federal Aviation Administration from awarding any Federal assistance to entities from certain foreign countries for projects related to unmanned aircraft systems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HEINRICH, Ms. HIRONO, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Mr. PADILLA, Mr. REED, Mr. SANDERS, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1831. A bill to provide lasting protection for inventoried roadless areas within the National Forest System; to the Committee on Energy and Natural Resources.



By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. KING, Mr. CRAMER, Ms. STABENOW, Ms. SINEMA, and Mr. VAN HOLLEN):

S. 1832. A bill to amend title XVIII of the Social Security Act to improve access to diabetes outpatient self-management training services, to require the Center for Medicare and Medicaid Innovation to test the provision of virtual diabetes outpatient self-management training services, and for other purposes; to the Committee on Finance.

By Mr. MANCHIN (for himself and Mr. BOOZMAN):

S. 1833. A bill to prohibit the issuance of an interim or final rule that amends, updates, modifies, or replaces the North Atlantic Right Whale vessel strike reduction rule until mitigation protocols are fully developed and deployed; to the Committee on Commerce, Science, and Transportation.

By Mrs. BLACKBURN (for herself, Mr. TUBERVILLE, and Ms. LUMMIS):

S. 1834. A bill to prohibit the President from negotiating or concluding any withdrawal, suspension, waiver, or modification to the Agreement on Trade-Related Aspects of Intellectual Property Rights without explicit authorization from Congress; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. CASSIDY):

S. 1835. A bill to require the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security to develop a campaign program to raise awareness regarding the importance of cybersecurity in the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself and Mr. LUJÁN):

S. 1836. A bill to direct the Secretary of Agriculture to review the Cattle Fever Tick Eradication Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VAN HOLLEN (for himself, Mr. ROMNEY, Mr. MARKEY, and Mr. RUBIO):

S. Res. 237. A resolution remembering the victims of the 1989 Tiananmen Square massacre and condemning the continued and intensifying crackdown on human rights and basic freedoms within the People's Republic of China, including the Hong Kong Special Administrative Region, by the Chinese Communist Party, and for other purposes; to the Committee on Foreign Relations.

By Mr. TESTER (for himself and Mr. MORAN):

S. Res. 238. A resolution expressing support for recognizing September 20 as National Service Dog Day; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 25

At the request of Mrs. FEINSTEIN, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 25, a bill to regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.

S. 305

At the request of Mr. BLUMENTHAL, the names of the Senator from Hawaii

(Mr. SCHATZ) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 305, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the United States Marine Corps, and to support programs at the Marine Corps Heritage Center.

S. 307

At the request of Mr. WARNER, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Colorado (Mr. HICKENLOOPER) were added as cosponsors of S. 307, a bill to amend title 49, United States Code, to establish certain rules relating to unmanned aircraft systems and operations, and for other purposes.

S. 413

At the request of Mr. BROWN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 413, a bill to amend the Internal Revenue Code of 1986 to increase the rate of the excise tax on the repurchase of corporate stock, and for other purposes.

S. 414

At the request of Mr. TESTER, the names of the Senator from California (Mr. PADILLA) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 414, a bill to amend title 38, United States Code, to improve and to expand eligibility for dependency and indemnity compensation paid to certain survivors of certain veterans, and for other purposes.

S. 503

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 503, a bill to establish the Space National Guard.

S. 626

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 626, a bill to recommend that the Center for Medicare and Medicaid Innovation test the effect of a dementia care management model, and for other purposes.

S. 786

At the request of Mr. THUNE, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 786, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 789

At the request of Mr. VAN HOLLEN, the names of the Senator from Georgia (Mr. OSSOFF), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from California (Mr. PADILLA), the Senator from Hawaii (Ms. HIRONO), the Senator from New Jersey (Mr. BOOKER) and the Senator from New Mexico (Mr. LUJÁN) were added as cosponsors of S. 789, a bill to require the Secretary of the Treasury to mint a coin in recognition of the 100th anniversary of the United States Foreign Service and its

contribution to United States diplomacy.

S. 912

At the request of Mr. BARRASSO, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 912, a bill to require the Secretary of Energy to provide technology grants to strengthen domestic mining education, and for other purposes.

S. 1016

At the request of Mr. HEINRICH, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 1016, a bill to address the impact of climate change on agriculture, and for other purposes.

S. 1141

At the request of Mr. CASSIDY, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1141, a bill to amend the Controlled Substances Act with respect to the scheduling of fentanyl-related substances, and for other purposes.

S. 1271

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Arkansas (Mr. BOOZMAN), the Senator from California (Mr. PADILLA) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1271, a bill to impose sanctions with respect to trafficking of illicit fentanyl and its precursors by transnational criminal organizations, including cartels, and for other purposes.

S. 1336

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1336, a bill to amend the Food and Nutrition Act of 2008 to require that supplemental nutrition assistance program benefits be calculated using the value of the low-cost food plan, and for other purposes.

S. 1375

At the request of Mr. MARSHALL, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1375, a bill to amend title XXVII of the Public Health Service Act to apply additional payments, discounts, and other financial assistance towards the cost-sharing requirements of health insurance plans, and for other purposes.

S. 1384

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1384, a bill to promote and protect from discrimination living organ donors.

S. 1409

At the request of Mr. BLUMENTHAL, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1409, a bill to protect the safety of children on the internet.

S. 1435

At the request of Mr. BARRASSO, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1435, a bill to require the Director of the Bureau of Land Management to withdraw a rule of the Bureau of Land Management relating to conservation and landscape health.

S. 1514

At the request of Mr. RUBIO, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1514, a bill to amend the National Housing Act to establish a mortgage insurance program for first responders, and for other purposes.

S. 1554

At the request of Mr. ROUNDS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1554, a bill to grant a Federal charter to the National American Indian Veterans, Incorporated.

S. 1694

At the request of Mr. CRUZ, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1694, a bill to abolish the Federal Insurance Office of the Department of the Treasury, and for other purposes.

S. 1706

At the request of Mr. DAINES, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1706, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified business income.

S. RES. 188

At the request of Mr. MENENDEZ, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from Pennsylvania (Mr. CASEY) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Res. 188, a resolution celebrating the 75th anniversary of the founding of the State of Israel, and for other purposes.

S. RES. 236

At the request of Mr. SCOTT of Florida, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Texas (Mr. CRUZ) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. Res. 236, a resolution honoring the 125th anniversary of the Rough Riders in the Spanish American War and designating June 2, 2023, as "National Rough Rider Day".

## SUBMITTED RESOLUTIONS

# SENATE RESOLUTION 237—REMEMBERING THE VICTIMS OF THE 1989 TIANANMEN SQUARE MASSACRE AND CONDEMNING THE CONTINUED AND INTENSIFYING CRACKDOWN ON HUMAN RIGHTS AND BASIC FREEDOMS WITHIN THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING THE HONG KONG SPECIAL ADMINISTRATIVE REGION, BY THE CHINESE COMMUNIST PARTY, AND FOR OTHER PURPOSES

Mr. VAN HOLLEN (for himself, Mr. ROMNEY, Mr. MARKEY, and Mr. RUBIO) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 237

Whereas, on April 15, 1989, peaceful demonstrators gathered in Tiananmen Square in central Beijing to mourn the death of former General Secretary of the Chinese Communist Party (CCP) Hu Yaobang, who was compelled to resign in 1987 for supporting political reforms within the CCP;

Whereas, throughout April and May 1989, peaceful demonstrations continued in Tiananmen Square and in an estimated 400 cities across the People's Republic of China;

Whereas, by May 17, 1989, an estimated 1,000,000 Chinese citizens from all walks of life, including students, government employees, journalists, workers, police officers, and members of the armed forces, gathered peacefully in Tiananmen Square to call for democratic reforms;

Whereas the peaceful demonstrators of 1989 called upon the Government of the People's Republic of China to eliminate corruption, accelerate economic and political reform, and protect human rights, particularly the freedoms of expression and assembly;

Whereas, on May 20, 1989, the Government of the People's Republic of China declared martial law;

Whereas, during the late afternoon and early evening hours of June 3, 1989, the People's Republic of China leadership sent armed People's Liberation Army (PLA) troops and tanks into Beijing and surrounding areas;

Whereas, on the night of June 3, and continuing into the morning of June 4, 1989, PLA soldiers, at the direction of CCP leadership, fired indiscriminately into crowds of peaceful protesters, killing and injuring thousands of demonstrators and other unarmed civilians;

Whereas the Government of the People's Republic of China continues to censor any mention of the crackdown centered on Tiananmen Square, prevents the victims from being publicly mourned and remembered, and harasses, detains, and arrests those who call for a full, public, and independent accounting of the wounded, dead, and those imprisoned for participating in the spring 1989 demonstrations;

Whereas the sovereignty of Hong Kong transferred from the United Kingdom to the People's Republic of China in 1997 under the terms of the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong (hereafter the "Joint Declaration"), which guaranteed the Hong Kong Special Administrative Region (HKSAR) will "enjoy a high degree of autonomy," and committed the PRC to keep the

"social and economic systems in Hong Kong" unchanged through 2047;

Whereas the Joint Declaration states that "Rights and freedoms, including those of the person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law in the Hong Kong Special Administrative Region" and that those rights are reiterated in Chapter III of the Basic Law of the HKSAR of the People's Republic of China;

Whereas the people of Hong Kong have held an annual Tiananmen Square vigil since 1990, and has been the only such mass gathering on Chinese territory because commemorations are banned in mainland China;

Whereas, on June 4, 2020, thousands of people in Hong Kong defied a ban by the Hong Kong Police Force and gathered at the city's annual June 4 vigil to memorialize the 31st anniversary of the Tiananmen Square massacre;

Whereas, on June 30, 2020, China's National People's Congress Standing Committee flagrantly undermined the high degree of autonomy promised to Hong Kong in the Joint Declaration and Basic Law by passing and imposing upon Hong Kong the oppressive and intentionally vague Law of the People's Republic of China on Safeguarding National Security in the HKSAR ("national security law");

Whereas the central Government of the People's Republic of China and the HKSAR Government have since used the national security law to suppress democratic voices in Hong Kong, including by barring candidates from standing for election and by arresting prodemocracy activists and opposition leaders;

Whereas, on March 11, 2021, China's National People's Congress adopted the "Decision of the National People's Congress on Improving the Electoral System of the Hong Kong Special Administrative Region", thereby further restricting Hong Kong's electoral freedom and democratic representation;

Whereas, on May 27, 2021, the Hong Kong Police Force officially banned the June 4 vigil for the second consecutive year, citing a ban on large gatherings in light of the coronavirus pandemic;

Whereas this ban has continued through 2022 and through 2023, despite the pandemic restrictions being largely removed in Hong Kong;

Whereas, on May 27, 2021, the Hong Kong Legislative Council passed legislation amending local election laws to bring them in line with the China's National People's Congress March 11 "Decision of the National People's Congress on Improving the Electoral System of the Hong Kong Special Administrative Region";

Whereas, on March 4, 2023, the HKSAR West Kowloon Magistrates' Court convicted three standing committee members of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China—Chow Hang-tung, Tang Ngok-kwan, and Tsui Hon-kwong—under the National Security Law, and the Alliance was an organizer of the annual Tiananmen vigil;

Whereas June 4, 2023, marks the 34th anniversary of the Tiananmen Square massacre;

Whereas the Government of the People's Republic of China has committed genocide and crimes against humanity against the Uyghurs and other predominantly Muslim ethnic groups in Xinjiang; and

Whereas the Government of the People's Republic of China continues to violate the human rights of prodemocracy activists,

members of ethnic groups, including individuals in the Tibetan regions, religious believers, human rights lawyers, citizen journalists, and labor union leaders, among many others seeking to express their political or religious views or ethnic identity in a peaceful manner: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its deepest respect for and solidarity with the families and friends of those killed, tortured, and imprisoned for participating in the prodemocracy demonstrations during the spring of 1989, and with those who have continued to suffer for their fight to publicly mourn the Tiananmen Square massacre victims;

(2) reaffirms its support for those who continue to work for political reform, rule of law, and protections for human rights in China;

(3) condemns the Government of the People's Republic of China for its continued human rights abuses, including suppressing peaceful political dissent and ethnic and religious minorities;

(4) calls on the Government of the People's Republic of China to—

(A) cease censoring information and discussion about the Tiananmen Square massacre;

(B) invite and cooperate with a full and independent investigation into the Tiananmen Square massacre by the United Nations High Commissioner for Human Rights;

(C) uphold its international legal obligations to Hong Kong under the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong ("Joint Declaration") and cease undermining Hong Kong's high degree of autonomy; and

(D) allow those participants in the Tiananmen demonstrations who fled overseas or reside outside of China after being "blacklisted" for their peaceful protest activity to return to China without risk of retribution;

(5) calls on the Government of the Hong Kong Special Administrative Region and the relevant authorities in the Government of the People's Republic of China to—

(A) respect and uphold the personal rights and freedoms of the people of Hong Kong and the independence of Hong Kong's legal system;

(B) restore independent democratic representation to the people of Hong Kong in line with the "One Country, Two Systems" arrangement set forth in the Joint Declaration and its implementing document, the Basic Law; and

(C) allow those living in exile for engaging in prodemocracy activities to return to Hong Kong without fear of detention or other repercussions;

(6) calls on the United States Government and members of Congress to mark the 34th anniversary of the Tiananmen Square protests, including through meetings with participants of the Tiananmen Square protests who live outside of China and the families and friends of the victims of the Tiananmen Square massacre based outside China; and

(7) supports ongoing peaceful movements for human rights in China and of the people in Hong Kong, Tibet, and Xinjiang.

SENATE RESOLUTION 238—EXPRESSING SUPPORT FOR RECOGNIZING SEPTEMBER 20 AS NATIONAL SERVICE DOG DAY

Mr. TESTER (for himself and Mr. MORAN) submitted the following reso-

lution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 238

Whereas service dogs assist individuals with a wide range of challenges, including—

- (1) post-traumatic stress disorder;
- (2) traumatic brain injury;
- (3) military sexual trauma;
- (4) epilepsy;
- (5) visual, hearing, and mobility impairments; and
- (6) other disabilities;

Whereas service dogs are able to support veterans struggling after war, hear for individuals who are deaf, see for individuals who are blind, and even sense changes in an individual's body before a seizure;

Whereas service dogs have assisted individuals in the United States since 1929;

Whereas service dogs were legally recognized by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) to do work or perform tasks for an individual with a disability and have protections under the Fair Housing Act (42 U.S.C. 3601 et seq.) and 41705 of title 49, United States Code (commonly known as the "Air Carrier Access Act of 1986");

Whereas evidence-based research has shown that service dogs provide numerous health and fitness benefits, including enhanced mobility and independence and a reduction in the symptoms of depression, anxiety, stress, and suicidal ideation;

Whereas tens of thousands of service dogs are estimated to be working in the United States today, located in all 50 States, Puerto Rico, and Guam; and

Whereas National Service Dog Day is an appropriate tribute to service dogs and the organizations that offer service dogs free of charge to United States veterans and individuals with disabilities: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports recognizing September 20 as National Service Dog Day;

(2) encourages all individuals in the United States to learn about the history of service dogs and the unique, positive impact service dogs have on individuals with disabilities; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for organizations that train and pair service dogs with disabled individuals in the United States.

#### NOTICE OF INTENT TO NOT OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY, do not object to the consideration of Eric G. Olshan, of Pennsylvania, to be United States Attorney for the Western District of Pennsylvania for the term of four years, dated June 6, 2023.

#### PRIVILEGES OF THE FLOOR

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the following law clerk and intern from my office be granted floor privileges for the remainder of the Congress: Bessie Blackburn and Roswell Cole.

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

ORDERS FOR WEDNESDAY, JUNE 7, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, June 7; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Crane nomination postclosure; further, that all time be considered expired at 11:30 a.m. and if any nominations are confirmed during Wednesday's session, that the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. If there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:31 p.m., adjourned until Wednesday, June 7, 2023, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### COMMODITY FUTURES TRADING COMMISSION

SUMNER K. MERSINGER, OF SOUTH DAKOTA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2028. (REAPPOINTMENT)

##### SECURITIES AND EXCHANGE COMMISSION

MARK TOSHIRO UYEDA, OF CALIFORNIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2028. (REAPPOINTMENT)

##### DEPARTMENT OF THE TREASURY

MARJORIE A. ROLLINSON, OF VIRGINIA, TO BE CHIEF COUNSEL FOR THE INTERNAL REVENUE SERVICE AND AN ASSISTANT GENERAL COUNSEL IN THE DEPARTMENT OF THE TREASURY, VICE MICHAEL J. DESMOND.

##### PEACE CORPS

DAVID E. WHITE, JR., OF NEW YORK, TO BE DEPUTY DIRECTOR OF THE PEACE CORPS, VICE CARLOS J. TORRES.

##### NATIONAL LABOR RELATIONS BOARD

GWYNNE A. WILCOX, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2028. (REAPPOINTMENT)

##### FEDERAL LABOR RELATIONS AUTHORITY

SUZANNE ELIZABETH SUMMERLIN, OF FLORIDA, TO BE GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS, VICE JULIA AKINS CLARK, TERM EXPIRED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant colonel*

CRAIG A. AMBROSE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

*To be major*

BIBEK JOSHI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ADRIAN K. WILLIFORD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DANIEL D. COLE  
EDWARD F. LEONARD

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 7064:

To be colonel

STEVEN D. BRYANT  
MARTIN S. CHO  
SHAREEN S. FISCHER  
JAMES F. FISHER, JR.  
EMMITT M. FURNER II  
SETH H. GEORGE  
CRAIG R. LUDWIG  
BRANDON R. MOORE  
JOHN P. SMITH, JR.  
ERIK T. SPICER  
KYLE A. TAYLOR  
BRIAN M. TUNG  
RICHARD W. WEST  
D011339

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

To be major

JOSEPH A. ST PIERRE II

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 7064:

To be major

JEFFREY A. BANKS  
JEFFREY R. WEINSTEIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ISAAC A. GUTIERREZ

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RICK J. MATA

THE FOLLOWING IDENTIFIED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

D016094

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THEODORE G. CAVOORES, JR.  
MYRA M. CLEARY  
RICHARD L. COFFMAN  
STEPHANIE A. DONAHUE  
DIANE L. GARDNER  
KIMBERLY D. JOHNSON  
STEPHANIE A. KASPER  
CYNTHIA L. KIRTLAND  
LISA R. KUMAGAI  
ROBIN S. MURPHY  
CHRISTY L. ROUSSEAU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ANDREW E. CARMICHAEL

KEVIN A. DOHERTY  
CHRISTOPHER J. GRAMICCIONI  
KOURTNEY L. OSEGUEDA  
ELISABETH H. PENNIX  
CATHERYNE E. PULLY  
DAVID N. STOCK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KIRSTEN M. BETAK  
CHRISTINA A. CARMODY  
KRISTINA K. CARTER  
ROBERT A. MARTINEZ  
SHAWN M. MCGURRAN  
PATRICIA L. SKINNER  
SUZANNE J. WOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

SARAH E. DAVIS  
MARK G. HORNING  
JOHN A. MORRIS  
JEFFREY J. ROCKWOOD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRYAN T. ALVAREZ  
ROBERT G. BASS, JR.  
JANE E. BENSON  
SANDRA L. BIERLING  
THERESE J. BURATYNSKI  
BRENDAN T. BYRNE  
ADAM M. COOPER  
DEVIN M. CUNNING  
LANCE L. DAVIS  
GAVIN P. DUNN  
ERYN J. H. DUTTA  
JOHN R. GARDNER  
JACOB J. GLASER  
RONALD C. JASIEWICZ  
ANDREW J. KAPLAN  
TYRONE J. KRAUSE  
JAMES D. LAMM  
SERGIO R. LOMBARDO  
JOHN C. MAYBERRY  
AMANDA C. MCCAULLEY  
ANNE R. MCDONOUGH  
MARC J. MCNAUGHTON  
MUKTA PANTPUROHIT  
JOSHUA D. QUICK  
WILLIAM J. ROY, JR.  
ULRICH H. SCHMIDT  
SCOTT E. VANVALIN  
JENNIFER J. VOGT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

RODNEY M. BONNER  
BRENDAN A. KEARNEY  
ROBERT J. KURKJIAN  
DAVID MUYU  
MATTHEW A. PERKINS  
RONALD L. RIDGEWAY  
JEAN L. STEENSON  
CHARLES C. THOMPSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JULIE K. MOSS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

LUIS E. ALDERMAN II  
TERRY W. BEWLEY  
KERMIT E. JONES, JR.  
ERIK F. YOUNG  
MELINDA S. L. ZALMA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

TIMOTHY W. GLEASON  
ORRICK R. HANEY  
NATHAN P. HARDY  
GREGORY P. JENNINGS  
STEVEN D. SHERMAN  
CORY A. WOODS

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

ROBIN J. GLEBAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be lieutenant colonel

LISA T. GREEN

To be major

EILEEN A. KIDDER  
KEITH D. VAN DYCK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR SPACE FORCE UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be colonel

PHOENIX L. HAUSER  
ALEXANDER P. RASMUSSEN

To be lieutenant colonel

NEIL B. BARNAS  
CLAUDIA H. HARRIS  
JONATHAN W. LANG  
ZACHARY M. LEHMANN  
NICHOLAS M. PULIRE  
ADAM M. STINE  
JOHN P. WILDER

To be major

DANIEL E. ALCANTARA  
STEWART C. BRANDON  
ANDREA R. CALLIES  
NEAL C. CARTER  
ANTHONY A. CASTELLO  
KEVIN F. CHAMPAIGNE  
CODY W. DENTON  
ALISON E. DINONG  
GARRETT W. ELLIS  
SAMUEL T. ENG  
JOSEPH G. GUNTER  
ANDREW B. HA  
YEMONI T. HUGUELY  
CHRISTOPHER K. JORDAN  
HEATHER U. KELLY  
KYLE D. KENERLEY  
TRISTEN J. KRESIN  
JEFFREY S. LEE  
CHRISTOPHER O. LOGSDON  
STEVEN W. LONG  
MICHAEL VINCENT R. LOPEZ  
GABRIELLE H. MCCrackEN  
TAYLOR A. PATTERSON  
JERRY E. PEACOCK  
DIMITAR M. STOYANOV  
ALLISON L. WARWICK  
DUSTIN L. WHITE

CONFIRMATION

Executive nomination confirmed by the Senate June 6, 2023:

DEPARTMENT OF JUSTICE

CRAIG J. ANDERSON, OF MONTANA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MONTANA FOR THE TERM OF FOUR YEARS.