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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mrs. MURRAY).

### PRAYER

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

Let us pray.

Almighty God, each day, it seems we face new challenges, unexpected hurdles, and tragic realities. Have mercy upon us and this land we love. Remind us that Your plans for us are better than anything we can plan for ourselves.

Today, as our lawmakers depend on You for help, respond to their intercession with Your peace that transcends human understanding. Lord, fill them with the joy that comes from the strength You provide those who refuse to become weary in doing what is right.

Remind us all that we are travelers in this life in search of a city that You have prepared for us.

Lord, we mourn the tragic loss of life in the Maine mass shooting.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

### LEGISLATIVE SESSION

#### MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2024—Continued

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 4366, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4366) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

Pending:

Schumer (for Murray/Collins) amendment No. 1092, in the nature of a substitute.

Mr. WARNOCK. Madam President, I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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 I ask unanimous consent that the order for the quorum call be rescinded.

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

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### MAINE SHOOTING

Mr. SCHUMER. Mr. President, this morning, the Nation grieves with the people of Lewiston, ME. After last night's horrible, senseless mass shooting, the shooter remains at large, and we pray that there is no more bloodshed after the horrors of last night.

The stories coming out of Lewiston are gut-wrenching—people gunned down while just trying to enjoy their Wednesday night out at the bowling alley and a restaurant—a bowling alley and a restaurant. These are supposed to be places where families go to have a good time, but now they have become sites—too many places—of tragic mass

shootings in America. It is beyond heartbreaking that mass shootings like this continue to happen in our country.

My condolences are with the families and loved ones. I can just imagine them sitting at home just wondering, why did this happen to us? My prayers will be with all Mainers and first responders as authorities keep working to locate the shooter. Today, our hearts are with Lewiston.

#### SPEAKER OF THE HOUSE MIKE JOHNSON

Mr. President, on the new Speaker, yesterday, after a monthlong paralysis in Congress, House Republicans finally—finally—elected a new Speaker of the House.

I spoke with Speaker JOHNSON last night and expressed my congratulations on his election to the speakership. I told Speaker JOHNSON the exact same thing I told Speaker MCCARTHY: In a divided government, the only way we will avoid a shutdown, fund the government, or pass the supplemental is bipartisanship.

I hope the new Speaker learns lessons from the disastrous experiences of his predecessors—Speakers Boehner, Ryan, and MCCARTHY—and realizes that coddling the hard right is disastrous both for the country and for the Republican leadership because, like it or not, Speaker JOHNSON will not be able to ignore the need for bipartisanship in divided government.

Right now, the world is in crisis. Americans and the citizens of the world—people across the world—are looking for a Congress that is functional, decisive, and able to reach across the aisle.

We must work together to send Israel the help she needs. We must stand with our friends in Ukraine, which majorities in both Chambers have made clear they support. To allow Putin to succeed is to endanger America's national

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



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security, and it is alarming that a growing number of House Republicans don't seem to care about this. We also need humanitarian aid to reduce the suffering in the Middle East, in Ukraine, and elsewhere.

We must also finish the bipartisan appropriations process. Extremist funding bills that make cuts way below the bipartisan June agreement will not fly. If Speaker Johnson tries to send those cuts over here, they are not going to happen. They will be dead on arrival. All they will do is waste more time at a moment when every day counts. So he cannot listen to these 30 Members of the hard right who somehow think they have all the knowledge and all right on their side and then tie us in a knot.

Again, whether House Republicans like it or not, this is divided government. Bipartisanship is the only way we will be able to get anything done. I hope and pray Speaker JOHNSON realizes this quickly. If Speaker JOHNSON repeats the mistakes of Speaker MCCARTHY, if he tumbles down the MAGA road, it will be inevitable that the House finds itself trapped in even more chaos very soon. If Speaker JOHNSON lives up to the label that Congressman GAETZ has given him, "MAGA Mike," he will fail, as the previous Speakers have. But if Speaker JOHNSON chooses the bipartisan path, we can do great things for the American people, just as we did last Congress with an evenly divided Senate and a narrowly divided House.

I look forward to working constructively with Speaker JOHNSON and congratulate him on his election.

#### GOVERNMENT FUNDING

Mr. President, on the minibus, the Senate today will continue the bipartisan appropriations process here on the floor.

Yesterday, Senators were busy voting through a number of amendments offered by both sides. We held rollcall votes on 4 amendments offered by our Republican colleagues and adopted 25 additional amendments, many of them bipartisan, by voice vote. We have more amendment votes to hold later today, and Members should expect to keep voting into next week. It is my hope that we can wrap up work on these appropriations bills as soon as next week.

When the Senate passes these three bills, they will be the only appropriations bills passed in either Chamber that both parties support, and I think that is key to remember as we move forward. As I said a moment ago, when I spoke to the newly elected Speaker JOHNSON, I said the only way we will solve our most pressing problems—funding the government, avoiding a shutdown, passing a supplemental—will be bipartisanship.

The Senate has been a model for how we can make bipartisanship happen, and it is all to the credit of our appropriators, particularly Chair MURRAY and Vice Chair COLLINS. I thank my

colleagues for their work. I look forward to holding more amendment votes today and into next week.

#### DOMESTIC SUPPLEMENTAL FUNDING

Mr. President, on the domestic supplemental, as the Senate works on America's needs on the world stage, including passing robust funding for Israel, Ukraine, the Pacific region, and humanitarian aid for Gaza, for Israel, and for Ukraine, we will also work to take care of our needs at home.

Last week, the President released his emergency supplemental to help our friends in Israel and Ukraine defend themselves. Now Democrats are working with the administration on a domestic supplemental to support the needs of American families.

Our domestic supplemental will fund bipartisan priorities for Americans, like disaster response, securing American energy independence, fighting the scourge of fentanyl, expanding access to affordable high-speed internet, and so much more.

Among our greatest needs right now is addressing childcare, which remains outrageously expensive for too many families and something I want to see the Senate address. I have had many conversations recently with my colleagues about how the Senate can make childcare more affordable. We are at a cliff now. As of September 30, funding was greatly decreased, and now childcare workers are being laid off and childcare slots are being rescinded. Families are in turmoil when that happens. We have to work on making childcare more affordable, and we have to work on it on the domestic side and have to keep it in the domestic supplemental and do everything we can to get it done.

Just as we have to work on national security on a bipartisan basis, the Senate should absolutely work on America's domestic needs with equal bipartisan fervor. You can't have one try to argue against the other. We need both domestic help and national security. It is not an either-or in this situation. The President has wisely offered a supplemental on domestic issues.

#### NOMINATION OF JACOB J. LEW

Mr. President, on the nomination of Jack Lew, yesterday, the Senate Foreign Relations Committee voted 12 to 9 to report out the nomination of Jack Lew, President Biden's pick to serve as Ambassador to Israel. Later today, I will file cloture on this most urgent nomination so Mr. Lew can be appointed to the post of Ambassador ASAP.

The team at the U.S. Embassy is doing a heroic job right now under terrible circumstances, including a wonderful charge d'affaires who helped us during our visit.

Israel is in crisis. America needs to stand with her, and a most urgent and obvious step would be to make sure we have an American Ambassador in place.

#### AUSTRALIA

Mr. President, finally, later this morning, it will be my honor to wel-

come Prime Minister Anthony Albanese of Australia to the U.S. Capitol for a bipartisan meeting.

Australia is a key ally, partner, and friend of the United States. The strength of the U.S.-Australia alliance is illustrated powerfully by the AUKUS trilateral agreement and by our shared commitment to enhancing Indo-Pacific security and by our strong economic bonds.

I will tell the Prime Minister that the Senate will keep working to pass all of the AUKUS agreement, because our national security interests align with respect to China. I was proud to work alongside my Senate colleagues to include AUKUS Pillar II in the Senate NDAA, and I will work with my House colleagues during the NDAA conference to ensure its inclusion in the final bill. We are now working to make sure Australia can receive the Virginia-class submarines that are an essential part of the trilateral agreement.

So, again, I thank Prime Minister Albanese for meeting with us today. I look forward to discussing the importance of AUKUS and finding new, innovative ways to collaborate.

#### UNITED AUTO WORKERS

Mr. President, on the UAW, I am so pleased to hear that Ford and UAW may have reached a tentative agreement. I hope that this spurs GM and Stellantis, as well as the UAW, to continue negotiating in good faith.

The bottom line is simple, the workers gave up plenty when the auto industry was in trouble. Now that the auto industry is making large profits, the workers need to share fairly in that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

#### MAINE SHOOTING

Mr. MCCONNELL. Mr. President, I was devastated to hear the news last night of a deadly shooting in Lewiston, ME. I know the entire Senate stands behind our colleagues Senator COLLINS and Senator KING as they help their State marshal its response.

We pray especially for the victims of this senseless violence, for their families, and for the law enforcement personnel working tirelessly to save lives and bring the suspect to justice.

#### SPEAKER OF THE HOUSE MIKE JOHNSON

Mr. President, now, on an entirely different matter, yesterday, I spoke with the newly elected Speaker of the House, MIKE JOHNSON. I congratulated him on his victory, and I expressed my support as he begins to steer the House Republican majority.

We have a lot of work ahead of us. House and Senate Republicans need to work together on a number of urgent priorities, beginning with supplemental appropriations for a number of our national security priorities. So I look forward to meeting with the Speaker soon to begin this important work.

## ISRAEL

Mr. President, every day brings new harrowing details of the terrorist attacks of October 7, and we continue to learn more about the role Iran plays in aiding and abetting terror. Just yesterday, new reports indicated that hundreds of terrorists from Hamas and Palestinian Islamic Jihad traveled to Iran last month for specialized combat training with Tehran's murderous Quds Force.

Of course, waiting for specific evidence of tactical involvement really misses the point. Iran is the world's leading state sponsor of terror. It has spent decades supporting proxy terrorists who share their hatred for Israel and America precisely so Tehran can maintain plausible deniability. We cannot lose sight of this savage charade. Evil will continue to target the United States and our allies, whether we pay attention to it or not.

And the threats our adversaries pose are all connected. Iran doesn't just underwrite terrorist attacks on Israel; it outfits Russia with drones to help kill Ukrainians. China doesn't just menace Taiwan; it helps Iran circumvent international sanctions by trading consumer goods for oil. And Russia isn't just pummeling a sovereign neighbor; it has joined China for joint naval exercises in the Sea of Japan, as well as off the coast of Alaska.

Our adversaries' ambitions are not local. They have been showing us for years that they are determined to challenge American leadership, undermine our interests, and weaken our alliances.

But on every front, the Biden administration's response has fallen short. The President was hesitant to deter Russia's aggression in the first place and has dithered about helping equip Ukraine to defeat it. He has prioritized engagement with China on climate policy over building resilient supply chains with trusted allies.

And just listen to his administration's jaw-dropping naivete after 3 years of squandering leverage on Iran. In early October, the President's National Security Advisor wrote a self-congratulatory article assessing the administration's foreign policy.

Here is some of what he said about the Middle East:

In the face of serious frictions, we have de-escalated crises in Gaza and restored direct diplomacy.

He went on:

U.S. troops were under regular attack in Iraq and Syria. . . . Such attacks, at least for now, have largely stopped.

Finally, he claimed that the President's approach "frees up resources for

other global priorities" and "reduces the risk of new Middle Eastern conflicts."

Well, at least that was the account that went to print before 1,400 Israelis were murdered on a Saturday morning and before Iran-backed terrorists injured two dozen servicemembers in numerous attacks in Iraq and in Syria.

The incongruity between the administration's spin and the reality has since been scrubbed from the article online, but the Biden administration's naive approach to terror remains woefully inadequate to meet the growing threat of radical Islamic terrorism—from Afghanistan to Yemen, to Iraq and the Levant, to the Sahel.

Abandoning Afghanistan, obsessing about closing Guantanamo Bay, removing the Houthis' designation as a terrorist organization, turning the other cheek when terrorists attack Americans and our allies, squandering leverage over Iran—weakness in one theater begets weakness in another.

The United States is a global superpower, and it is high time we started embracing and properly resourcing the responsibilities that come with that role. Now is the time to invest deeper in our alliances and partnerships. It is time to restore credible deterrence with hard power.

That is why I will oppose Senator PAUL's resolution to compel the withdrawal of American servicemembers from Niger later today. Radical Islamic terrorism in that part of the world is on the rise, and we should be working more closely with local partners, not abandoning them. We should be conducting more surveillance flights, not blinding ourselves by abandoning strategic airfields in Niger. Russia and China are working overtime to displace American influence in Africa. We should not be making their job any easier.

Beyond today's vote, the Senate should recognize the opportunity before us to shape a supplemental appropriations bill that equips our military, our defense industrial base, and our allies and partners to meet the growing threats that we face—from our southern border to radical Islamic terrorism, to authoritarian aggression. We have a chance to demonstrate the American leadership our people, our allies, and our interests require. We should take it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Iowa.

## FISCAL RESPONSIBILITY

Mr. GRASSLEY. Mr. President, 59 years ago tomorrow—in other words, Friday—Ronald Reagan delivered his

iconic "A Time for Choosing" speech. In this speech, the future President laid out, in very stark terms, the challenges that Americans faced as a nation, all due to a bloated Federal Government that threatened America's prosperity and individual freedoms.

Well, America is once again at a time for choosing, and much like in Reagan's time, the issues confronting us cross party lines. This would be a good time for me to say that we have a partial step in this direction because of the Biden-McCarthy agreement in June not to shut down the government because the government couldn't issue debt.

So here we are again. The non-partisan Congressional Budget Office and others have warned policymakers for decades that, absent changes, the retirement of the baby boom generation would result in an explosion of debt and deficit.

Yet we in the Congress have turned a blind eye as the country walked headlong towards a fiscal cliff. For 40 years, our public debt averaged around 35 percent of our economy. But over the past 15 years, that debt has grown by leaps and bounds.

First came the 2008 financial crisis, which led to a \$6 trillion leap in public debt in just 4 years after 2008. This amounted to a doubling of the national debt as a share of the economy, rising from 35 percent—where it was for about 40 years—to over 70 percent of GDP.

Then, we all know what the pandemic has done to the public debt. The pandemic hits, and public debt went upwards by \$7.5 trillion over 3 years. As a result, public debt soared to roughly equal to our Nation's entire annual economic output—or what you have economists tell you: That is about 100 percent of GDP.

Now that brings us to where we are today and to take Ronald Reagan's advice very seriously: a nation drowning in a sea of red ink with no life preserver or a rescue boat in sight.

What is more, debt continues to rain down upon us at a record clip. The fiscal year 2023 deficit checked in at 2 trillion once you adjust for the Supreme Court striking down the Biden student loan bailout.

Measured as a share of GDP the 2023 deficit was larger than in all but 5 years since 1945.

Our historic deficit was fueled, in part, by rising interest payments on the debt, which alone cost \$711 billion. The cost to service our debt is expected to consume an increasingly larger share of the Federal budget. While we argue about what we should or shouldn't spend taxpayers' money on, interest on the debt is crowding out our priorities and shrinking our options going forward. And this all automatically happens because you pay the interest on the national debt or you default; and we don't want to do that. And that is what the Biden-McCarthy agreement of June kept from happening.

Going back to June, the CBO projected that servicing our debt over the next 10 years would cost 10.4 trillion; however, that projection was made before rates on treasury bonds used to finance our debt surged to a 16-year high. The rate on a 10-year treasury bond is now a full percentage point higher than what CBO assumed this spring. All of that adding to our deficit problems. But these higher than expected borrowing costs persist. It will be trillions more spent simply servicing that debt.

What is more, we haven't yet hit the precipice of the fiscal cliff that CBO and other nonpartisan experts have been warning will result due to the aging population. And, of course, that involves Social Security and Medicare. And the trustees of these two programs say the trust funds for both programs will be insolvent within the next 10 years. Moreover, CBO projects that spending for major health programs will skyrocket from 32 percent of Federal revenue this day to 45 percent of revenue at midcentury.

We can no longer afford to kick the can down the road. We must put an end to governing crisis to crisis and get back to the fundamentals of government. And the fundamentals of government for Social Security and Medicare should cause us to look at the success that Reagan and then-Democratic speaker Tip O'Neill of the House of Representatives said: We can't let Social Security go bankrupt. And they fixed it to this very day by tough decisions that we ought to be making today to fix it for the next 50 years like they did. And I will bet maybe they, at that time, thought maybe they were only fixing it for 10 or 20 years. But that is from 1983 till now. Social Security is supposed to run out of resources, reserves by, I think, 2033.

So what I am saying is it means actually managing the government instead of doing it from crisis to crisis and to do it by not chasing an elusive partisan ideal. That will require implementing honest budget and appropriations practices that will enable us to begin to chip away at this daunting debt.

According to the well-regarded Penn Wharton Budget Model, the United States has about 20 years to take corrective action to avoid fiscal disaster. I almost hate to say 20 years—but Penn Wharton is respected—because that means that maybe we won't take the necessary action in the near term. And it is always easier to solve these problems yesterday than it is tomorrow. The longer we wait to take these actions, then, obviously, I am saying the more painful those actions will be.

In Penn Wharton's estimation, if we put off corrective action until the fiscal crisis is at our doorstep, no amount of future tax hikes or spending cuts will enable us to avoid defaulting on our debt.

When I just said—as I did—until a fiscal crisis is upon our doorstep, Iowans

at my 99-county meetings that I hold every year would say that we are already at that point. And when you talk about maybe it can be done or not done, then you can imagine the cynical people of Iowa—just like the cynical people of the United States as a whole—are even going to have less confidence in our government institutions.

Now, we all know there is plenty of blame to go around for how we got into our current fiscal situation, but no amount of finger-pointing—political or otherwise—will change where we find ourselves today. We must now make a choice. We can either continue down the path to fiscal ruin, or we can begin to rein in a bloated Federal Government in pursuit of a more prosperous tomorrow.

Well, remember what I said about Ronald Reagan 59 years ago tomorrow, also in the words of Ronald Reagan:

You and I have a rendezvous with destiny. We will preserve for our children this, the last best hope of man on earth or we will sentence them to take the last step into a thousand years of darkness.

We see on television a lot of times people saying how God-awful this country is. And yet on that same television day, you can see 10,000 people crossing the border to come to our country. For those people that live in America and have lived here all their life and find that America is not such a great place, they ought to wonder why people all over the world want to come to America.

Or sometimes I tell people at citizenship ceremonies in the courthouses of Iowa when I am able to go there, I say to this group—many of them have come from autocracies to America where they have less freedom than they have in America today—and I say to those people, I hope when you hear somebody that was born in America bellyaching about the God-awful wrongs we have in this country, I hope you will remind them as a person born in another country how great this country is because people that were born here lose sight of how great America is.

So getting back to this fiscal issue I have been talking about, whether Ronald Reagan says it or I say it or each of my 99 colleagues say it—because I think, to some extent, we are all on the same page—maybe not how to solve the problem, but that there is a problem—then I say, like Reagan said: The choice is clear. It is time we do what our constituents sent us here to do. And that basically means to lead—to lead us out of this fiscal crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### CONDEMNING HAMAS AND ANTISEMITIC STUDENT ACTIVITIES ON COLLEGE CAMPUSES IN THE UNITED STATES

Mr. HAWLEY. Mr. President, I ask unanimous consent that the Com-

mittee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 418.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 418) condemning Hamas and antisemitic student activities on college campuses in the United States.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. HAWLEY. I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 241) was agreed to.

Mr. HAWLEY. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 19, 2023, under "Submitted Resolutions.")

Mr. HAWLEY. Mr. President, 1 week ago, I came to this floor to try and pass this very resolution that condemns the violent, genocidal, anti-Semitic rhetoric and actions on our college campuses all across this country. Sadly, I was blocked by one of my Democratic colleagues. And since then, the situation at our universities has only worsened.

I offer you just two examples. I could multiply these examples, sadly, but let's just take two.

On Tuesday of this week, just 2 or 3 miles from where we stand now on the floor of the U.S. Senate, at the George Washington University, pro-Hamas students projected onto the side of the university library various anti-Semitic, anti-Israel, pro-genocide slogans, including "Glory to Our Martyrs," in reference to the terrorists who attacked the State of Israel, and not just the State of Israel, but who committed cold-blooded murder of babies, cutting off their heads, shooting women and children in their homes, executing soldiers as they lay sleeping in their barracks.

These same students projected other slogans onto the library wall: "Free Palestine From the River to the Sea".

What does that mean? Well, it is a reference to Hamas's longstanding call for the extermination of the State of Israel.

Let's just be clear. This is a reference to their call for genocide of Jews in the Middle East and everywhere they can get their hands on them. This is what is going on, on our college campuses.

If you talk to the students who were there at George Washington University

that night, what they will tell you is, they feared for their safety; they feared for their lives; they don't know if they are any longer welcome on campus or physically safe on campus.

What did the university do in the wake of this attack? Well, the answer has become all too familiar. Virtually nothing. They issued a statement saying that the students weren't authorized to project these genocidal slogans onto the library wall, and that is about it.

We have to do a heck of a lot better than that.

Last night, at Cooper Union, an institution of higher education in the State of New York, Jewish students were barricaded inside their own library as a pro-Hamas group rampaged through the building shouting violent slurs at these students and then pounded on the library doors seeking to gain entrance.

This morning's New York Post reads: "Cooper Union barricades Jewish students inside library as pro-Palestinian protesters bang on [the] doors."

The students who were there last night spoke of being herded into the library, of campus security saying they didn't think they could protect them; campus security then locking the doors to the library to try and keep the Jewish students inside and an angry mob assembling.

There are photos of this. Don't take my word for it. The video is available everywhere. Go look for yourself.

An angry mob of pro-Palestinian, pro-Hamas students were banging on the windows—the glass windows—of the library at the Jewish students who were literally barricaded inside.

These students were calling 9-1-1, calling their relatives, asking for help. Eventually, an hour or more later, campus security reportedly took them out through the back door. They couldn't walk out the front door of a library in their own school. They had to be taken out the back for fear, I guess, of their safety, perhaps also for appearances.

I can't help but think, 50 years ago, 60 years ago, the President of the United States had to activate the 101st Airborne Division to make sure African-American students could go to class in this country without being physically assaulted. Is that what it has come to now on America's college campuses?

Are we going to have to activate the National Guard to see that Jewish students can go to class in safety without being in fear of their lives?

I would just say this: As a nation, we must speak with one voice and say that there is a right, and there is a wrong; there is good, and there is evil; and threatening to kill an entire class of people is wrong and it is evil.

Speaking up, shouting in support of genocide is wrong, and it is evil. Threatening the lives of your fellow students because they are Jewish is wrong, and it is evil.

Plainly, these institutions of so-called higher learning have failed these

students. These students have clearly no idea what right and wrong means. You project stuff like this on a library wall while your Jewish classmates stand in fear for their lives, you don't have any idea about what right and wrong is.

Clearly, these institutions have failed these students, which is why we need to speak with moral clarity now. This is a teachable moment. This is a moment for us to say that genocide is wrong, that terrorist attacks against Jews are wrong, that threats on the lives of Jewish people anywhere—the Middle East, in this country, Europe, anywhere—is wrong.

This shouldn't be hard. But we have to do it so that these students and everywhere within the sound of our voice can understand what right and wrong means—can understand the moral gravity of the situation we are now confronting.

That is why what we are doing today matters, and that is why I am pleased today that we are able now, finally, to pass this resolution that explicitly names the rhetoric, explicitly calls out the language of pro-violence, pro-genocide, and says that is wrong.

Now, I want to be clear. Our First Amendment—of which I am a great defender—our First Amendment allows people to say the most terrible things—vile, horrible, reprehensible things. The First Amendment, as I have often said, is the right to be wrong. And these students are absolutely wrong.

So they may have the right to say these things—although I must add, nobody has the right to threaten violence against other Americans or anybody within their ambit. They may have the right to say terrible things, to say that they are in favor of genocide, to say that they want to see Jewish people killed. They may have the right to say those things, but that doesn't mean that we have to agree with it. That doesn't mean that we have to say: Oh, that is morally neutral. Sure, you can say it, fine. We have no opinion.

No, no, no. The answer to that kind of hateful, virulent, dangerous speech is speech with moral purpose. It is language with moral clarity. It is a moral stand that says: No, that is wrong. That is not us. That is not the United States of America. That is what we are doing right here, right now, on this floor today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Kentucky.

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

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

MOTION TO DISCHARGE—S.J. RES 44

Mr. PAUL. Mr. President, so much senseless violence, so much death and destruction, shouldn't we at least avoid wars of choice? Shouldn't we at least not go looking for trouble in every corner of the planet?

With the Middle East on fire, what sense does it make to have over 1,000 troops in Niger? Does it make sense to station over 1,000 troops in a country ruled by a military junta? Does it make sense to scour the back roads of Africa droning potential villains?

Today, the Senate will debate and vote on whether U.S. troops should remain engaged in hostilities in Niger. It should not go unnoticed that Congress never voted to send troops to Niger in the first place.

Presidents of both parties have used the September 11, 2001, authorization to use military force to justify wars in dozens of countries from Afghanistan to Libya, to Syria, to Somalia, to Yemen. Niger is but 1 of over 20 countries that the U.S. conducts military operations in, supposedly justified by the 9/11 authorization to use military force.

The impetus for this War Powers Resolution in 2001 has nothing to do with the situation of Africa today. This War Powers Resolution today, though, is related to the July 26 coup in which members of Niger's Presidential Guard, including some officers who were trained in the United States, removed the democratically elected President, Mohammed Bazoum, from power.

Now, the surrounding states around Niger are unhappy with this. The Economic Community of West African States is an organization of 15 countries. They have declared their intention to intervene militarily in Niger if President Bazoum is not restored to power.

We are in the middle of a potential war, with 1,100 troops in Niger, where a democratically elected President has been deposed, and they are being ruled by a military junta and still our troops are there.

In September, two other countries—Mali and Burkina Faso—that have experienced their own armed coups in recent years, signed a mutual defense pact to defend the military junta in Niger.

Niger's new leaders have put its military on maximum alert, citing an increased risk of attack. For its part, the Economic Community of West African States—15 countries—has imposed sanctions, instituted a no-fly zone, and closed border crossings. Recent reports indicate that Nigerian troops have been deployed along the border of the country Benin.

The Sahel is a powder keg, and we have over 1,000 military troops and personnel sitting in the middle of it. The Middle East is on fire, and yet we have 1,100 troops sitting in the middle of a potential war that we could be drug into. American forces face a very real

risk of being caught in the crossfire of a regional African war. That is all we need, is another war.

What are we doing in Niger? As I mentioned earlier, Congress never voted to send troops there. Congress never authorized the use of military force. Yet, on multiple occasions, U.S. forces in Niger have engaged in fire-fights with hostile groups. Sadly, American lives have already been lost.

My colleagues may recall that on October 4, 2017, four U.S. soldiers—SFC Jeremiah Johnson, SSG Bryan Black, SSG Dustin Wright, and SGT La David Johnson—were ambushed and killed while on a mission near the village of Tongo Tongo, Niger. This tragic incident was the largest loss of life for U.S. forces in Africa since the 1993 Black Hawk down incident.

At the time, the New York Times reported in a piece called “An Endless War” that two senior U.S. Senators, a Republican and a Democrat—both of whom still serve in this body—were surprised to learn that the United States even had troops in Niger. This is how distant we have become from controlling our intervention in war—that people in the body, in the upper body of the Congress, don’t even know we have troops in certain countries. We lose soldiers in countries, and nobody even knew we were there. There has been no vote of Congress. There has been no support of the people. This is being done by an administration—the previous administration, the one previous to that, and the current administration.

These Senators were surprised because Congress has abdicated its constitutional war powers to the executive branch. These Senators were surprised because this institute is content to allow the President to sidestep the Constitution and unilaterally deploy U.S. forces anywhere in the world, anytime, for any reason, by citing a virtually limitless interpretation of the 9/11 AUMF.

The country of Niger—the junta, the coup, the discord in Niger—has nothing to do with the attack on 9/11/2001. This attack prompted Congress to authorize war against those who attacked us on 9/11. It was passed in the days following the tragic events. The AUMF was narrowly tailored to bring justice to those responsible for attacking us on 9/11, but an ever-aggrandizing executive deliberately misinterprets—both Republican executives and Democrat executives deliberately misinterpret this AUMF as a limitless document to empower the President to go to war everywhere, all the time, forever.

Administrations of both parties cite this 2001 authorization for use of military force to continue U.S. military operations against various groups in 20 different countries. The majority of these countries—I would say all of these countries—had absolutely nothing to do with 9/11. Many of the groups we are targeting have no connection to 9/11. Many of them didn’t exist in 2001,

and many of their members weren’t even born in 2001. Using an AUMF from 22 years ago—an authorization to get the people who attacked us on 9/11—to justify a war in Niger is a ridiculous notion and should be rejected out of hand.

Deferring the decision as to when, where, and why our country goes to war is a dereliction of duty. Think about it. Our young men and women whom we send into harm’s way who may give up their lives anywhere around the world—don’t they deserve a debate? Don’t they deserve a vote? Don’t the 1,100 troops in Niger deserve that we debate on the floor of the Senate whether they should be there or not? God forbid they are your sons or your daughters, and they lose their lives in a remote corner of Africa, and there has never been one debate on the floor over whether or not we should even be there.

The Middle East is on fire, and we have 1,100 troops in Africa. These military interventions have been carried out across Africa, across the Middle East, and they have cost thousands of lives, trillions of dollars, and have made us less safe and less prosperous. In many cases, our interventions have been counterproductive, destabilizing, and have helped to create the conditions for Islamic extremism to prosper.

Does anybody remember our intervention in Libya? I know many policy-makers in this city think that is ancient history, but that Obama-led offensive helped to destroy the country of Libya. The U.S.-led coalition toppled the government of Muammar Qadhafi, killed hundreds of civilians, fomented anarchy which still exists today throughout the country of Libya, and opened the floodgates for widespread extremist terrorism to spread throughout the region.

If you look objectively, is there more or less terrorism in Libya than before we got rid of Qadhafi, before we intervened and the French and all of the countries intervened? There is more terrorism now. It is more of a problem. Libyans today are unambiguously worse off than before the intervention, than before the war.

In 2010, the U.N. Human Development Index ranked Libya 53rd in the world and 1st in Africa. This year, after the war, after 10 years of chaos, after 10 years of anarchy, Libya ranks near the bottom of all countries. They are 104th in the world. The country is a mess. It is destroyed. It has two governments. It has become a foundation for extremism throughout Africa.

We need to think about our interventions before they occur.

In 2010, the World Bank assessed Libya’s per capita GDP as \$11,600. Ten years later, the per capita GDP is almost half of that—\$5,910.

The U.N. Human Rights Office reports that the execution and torture of civilians in Libya happen on a regular occurrence. The U.N. has also identified the existence of open slave mar-

kets, where migrants and refugees transiting Libya are bought and sold as slaves. Thank goodness the developed world came in to remove the government of Libya and civilize the country that is now a huge mess and a huge sore.

The disasters the Obama administration helped unleash in Libya have had longlasting consequences in the entire region. Libyan arms, including heavy weaponry such as anti-aircraft guns and surface-to-air missiles, have been traced to criminals and terrorists across the region.

So we destroyed any sense of stability in Libya; the chaos spread throughout; and now we say: Oh, now we need to kill all the people who are spreading throughout the region who came from Libya.

We have traced their weapons to terrorists in Niger, in Mali, in Tunisia, in Syria, and in Algeria. Tragically, they are now showing up in Gaza. Some of the weapons in Gaza being launched against Israel are weapons that came out of the war in Libya.

The United States now uses Niger as a drone base to kill and try to clean up the mess that the United States and others created in Libya. The war in Libya that we, the French, and other countries participated in that left a power vacuum, that left a mess, spilled terrorists over into other countries. So what do we do? We create a drone base in Niger to kill these people. What happens when you kill the wrong people? What happens when the drone lands on a wedding, and 22 innocent people die at a wedding? What do you think happens to their relatives? How many terrorists are created for every innocent civilian killed?

You only have to think back to Afghanistan, the mess of leaving Afghanistan. I was for leaving Afghanistan, but it was a terrible military blunder. When we did, the executive branch, to save face—what did they do? They droned somebody. They just droned the wrong person. They droned a humanitarian aid worker and a bunch of kids. What do you think that does for terrorism? When you drone an aid worker and their kids, do you think you get more terrorism? Hell yes, you do. You get 10 more terrorists for every civilian you kill.

There is no reason in the world we should be in the heart of Africa with drones, killing people.

Unfortunately, it is rarely asked if our interminable military interventions create the very terrorists we seek to destroy. It is a question this body needs to answer.

When four of our soldiers were killed in Niger, many believed they were on a mission to track down a person named Doundou Chefou. According to the previous Nigerian Government, Doundou Chefou is a terrorist, but before he took up arms, he was a cattle herder of the Fulani Tribe who had no hatred for the Nigerian Government or the U.S. Government. Members of a rival Tribe,



the Tuareg Tribe, became mercenaries for Qadhafi. Once Libya was destroyed, guess what. They decided to come back to Niger. They were attacking the cattle herder, Chefou.

These are local disputes that have to do with armed mercenaries coming from Libya into Niger. So what do we do? We get involved in that, and tragically American lives were lost getting involved in something when maybe our country never should have been there to begin with.

After Qadhafi was deposed, the mercenaries from Libya returned home to Niger, but they were now armed with weapons of war. They turned these arms on the Fulani Tribe to pillage their cattle. This was a dispute over thieves taking people's cattle. Do you think that necessitates a predator drone to be dropped on these people? Do you think that somehow we are eliminating terrorism by droning people involved in a cattle dispute? Although it may not be justified, should we be surprised that Chefou turned to people who happened to be Islamist for guns and training?

Do the proponents of Western military intervention not understand that we may be creating the terrorists we seek to destroy? Do we not see the folly of our adventurism that transforms cattle herders into jihadists?

U.S. troops have been stationed in Niger since at least 2013. There has been no vote. The Constitution is clear: We do not fight wars without the approval of Congress. Yet, for a decade, we have had troops over there. Both parties, Republican and Democrat, gradually increased and gradually increased. We drone people. We sometimes drone parents. Sometimes we drone people at a wedding. Ten years later, our presence in Niger has multiplied, and not once has this body debated the merits of our mission there, let alone authorized the use of military force.

We will debate it today not because they are interested in the subject, not because they wish to put an imprimatur on war, not because they think they have any responsibility to our soldiers or any responsibility to the people in Africa whether we should be there; we will debate it today because I forced them to debate it. This is a privileged motion, and they can't stop me. This debate over whether or not there should be a war in Africa—a war in Niger—or whether any of our troops should be there is only because I forced them to debate this. They want nothing to do with this. In fact, they would just as soon rely on a resolution from 2001. They want nothing to do with this. They want no responsibility. They want to wash their hands of this. Then one day, when they wake up and discover that four soldiers have died in a country they didn't even know we were involved with, they say: Not my problem. That is a Presidential thing.

That is not what the Constitution intended. The Constitution intended that

we would be involved and that the loss of life and the sending of our troops overseas would be our responsibility and that we would be reticent to do it. Instead, we do nothing; we turn the other way. And when our soldiers die in a heroic fashion, fighting for a cause where the symbolism of the cause is just, there has been no debate. They say: Oh, we voted on that before you were born. You were born long after 2001, but somebody, somewhere, once upon a time, voted for a resolution in 2001, and that is good enough. We wash our hands.

Well, today, we will vote. This will put the Senate on record, and they will be responsible for their vote. Will they vote to end our presence in a country that is now run by a military coup? a country where there is threatened war from all sides? Will we enter into a war that is clearly a war of choice or will we say: No. Maybe it is time to get the heck out of there, to get the heck out of the middle of a war.

Either way, I will put them on record today—but not because they want to but because they are forced to debate this issue because I bring it to the floor.

We have learned that the soldiers who perished tragically in 2017 in Niger were on a mission authorized by section 127e of title 10 of the United States Code. What is that? It is a piece of the law that unfortunately has been put forward by the legislature to give the President the power to do whatever he wants up to \$100 million, the authority to expend up to \$100 million during a fiscal year to “provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating authorized ongoing military operations.”

Those are a lot of fancy words to say the President can do anything he wants anywhere in the world because we gave him this power. But there is something in the Constitution that says we cannot delegate our power. The Constitution doesn't allow the legislature to delegate their power to the Executive.

We can't give up our warmaking power. This is unconstitutional. You cannot allow just little wars to happen, up to \$100 million per year, without any vote. That is giving up the authority the Constitution gave to us. It is clearly unconstitutional and should be repealed.

In short, this section of legal code provides the Pentagon unilateral authority to wage secret wars anywhere in the world without any oversight by Congress and even less public scrutiny. Unfortunately, the loss of four of our soldiers illuminates the fact that our troops who are operating under this authority are also in harm's way.

Earlier this month, the Biden administration finally formally declared that a military coup took place in Niger. Once that declaration was made, the United States was statutorily required to suspend all foreign and military as-

sistance. You would think that would include having 1,000 troops there.

A senior administration official stated to CNN that the counterterrorism operations will remain paused, as will all U.S. training activities to build the capacity of the Nigerian forces.

It seems as if our troops have no mission. Someone should explain why we are still leaving them in the middle of a war. French President Emmanuel Macron recently announced that France will end its military presence in Niger and bring some 1,500 soldiers home. We should also bring our 1,000 troops home.

To commit America's military to fight wars on behalf of the Nation is the most consequential and humbling responsibility that Congress is entrusted with. Can we not, at the very least, muster the courage to have a debate? If America's interest in Niger is of such vital importance that we ask our young men to fight and potentially pay the ultimate sacrifice to defend it, we at least owe our soldiers a debate in Congress—not, “Your grandparents debated this,” “Your parents debated this,” or, “Another generation debated this,” but that we are willing to debate, here and now, whether or not we should be at war in Niger.

A “yes” vote on my resolution gives each of us an opportunity to go on record and tell our constituents that we will no longer stand idly by as the President sends their sons and daughters into harm's way to fight wars, with no clear objective, with no definition of victory, with no exit strategy, and with no constitutional authorization.

I encourage my colleagues to vote yes to take America out of hostilities in Niger.

#### MOTION TO DISCHARGE

Mr. President, I move to discharge S.J. Res. 44.

The PRESIDING OFFICER (Mr. LUJÁN). The clerk will report the motion to discharge.

The legislative clerk read as follows:

Motion to discharge from the Committee on Foreign Relations, S.J. Res. 44, directing the removal of United States Armed Forces from hostilities in the Republic of Niger that have not been authorized by Congress.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I rise in opposition to my friend's motion to discharge this from our committee.

Let me start where he left off. He is asking that we remove our troops from hostilities in Niger. Let me say this as clearly as I can: We have no troops involved in hostilities in Niger. If we did, this would be a big deal and this place would be full and we would be talking about combat operations. We do not have that.

The United States is not involved in combat operations in Niger. We do conduct focused intelligence operations to protect our troops in the region as well as our partners and allies and, most importantly, to monitor threats.

It is inaccurate to equate routine security assistance in counterterrorism operations and monitoring with involvement in hostilities. This incorrect assumption threatens U.S. security assistance around the globe.

A swift U.S. withdrawal from Niger, as proposed in this resolution, would weaken our regional reconnaissance efforts to monitor terrorist activities, which, of course, are in the national security interests of the United States of America and all American citizens. It would also leave the door open for Russia to come in and take over our facilities.

In early 2023, AFRICOM Commander Gen. Michael Langley told Congress that “Africa is the epicenter of international terrorism,” an understatement, at best, and something we all knew. Since then, the threat has nothing but grown against U.S. interests and partners in the Sahel. As it has grown, Iran and the Wagner Group, backed by the Kremlin, seek to exploit Sahel’s weakness by aligning with military juntas.

Despite the recent coup in Niger weakening the country’s security, invoking U.S. restrictions on aid, Niger remains vital for Western counterterrorism in the Sahel and for observation purposes.

America cannot be the policemen of the world, but that does not mean we should not have observation posts, we should not do counterintelligence and national security monitoring, and it doesn’t mean that we shouldn’t do intelligence operations.

With all due respect to my friend, I know that this is well-intentioned, but the result would be very negative for U.S. national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I, too, also oppose this motion for the reasons that Senator RISCH outlined.

Our presence there are not troops in hostility. To the contrary. We have been asked. Our African partners have asked for our support, and our European allies are looking for us to stand firm.

This is a situation where our troops are welcomed in order to prevent the terrorist activities that are taking place in that part of Africa.

We had a committee hearing on the Sahel this week. You saw the circumstances in this part of Africa. It is dangerous there. The U.S. presence is helping save lives and to contain terrorism. Our partners in Africa want us there to deal with that threat. Now is not the time to signal that we are abandoning them. This is not the time to draw down our military presence in Niger, which could directly impact their security.

Now is not the time for the United States to send a message that we cannot be relied upon. Think about what this says to our partners if we were to pull out. Think about what it says to

our enemies. Russia already has a foothold in Africa, including right next door in Mali. Their presence has been absolutely devastating for the people of the countries where it operates.

Russia’s affiliated forces have committed horrific human rights atrocities. Just in Mali, the Wagner mercenaries and multiple armed forces are believed to have massacred 500 people in March of 2022. That is why our presence is so valuable and so important to that region. We do not give enough attention to that part of the world. We certainly don’t want to signal that we are abandoning that part of the world. If we do that, we leave a vacuum. If we leave a vacuum, Russia will fill it; the Wagner mercenaries will fill it.

I urge my colleagues to defeat the motion.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, the opponents of the resolution have stated here today on the floor that no troops are involved in combat in Niger. I think the families of the four soldiers who died over there would be surprised to find out that their loved ones who gave their lives were not involved in combat. What an insult.

They would also be surprised—or people would be surprised—to find out that killing someone with a drone is not combat. One of the main bases we have in Niger is a drone base for killing people. So if it is not combat to kill people with a drone and it is not combat to have four soldiers die, I am not sure what combat is. But this is clearly combat. It is clearly wrong. It clearly has not been authorized. It should not be authorized.

The argument has also been made by opponents of this resolution that they want us there; that all of Africa is in open arms and wants us there. Well, guess what, the people who rule the country of Niger don’t. They asked the French to leave, and the French are leaving. All 1,500 troops are leaving. They have asked us to leave. Maybe we should take their advice.

It is not a democratically elected government. So the military junta that took over and put the President in jail wants us to leave. The people who want us to stay are in other countries who have threatened war with Niger for imprisoning the President. There is a conflict. There have been 17 military coups in this part of the world. This part of Africa, in the last decade, has had 17 coups and, guess what, 11 of the coups are led by people trained in the United States.

This is a policy that is not working. We think it is a benign policy. It is a terrible policy. We are bringing them here, training them; they are going over and deposing the democratically elected President. Don’t be fooled. There is combat there. Four of our soldiers have died, and it is an insult to their families to say it is not combat.

They don’t want us; the juntas asked us to leave; and I would support this

resolution, which says we need to bring our troops home.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I just want to correct the record. It is correct that they asked the French to leave, but they want America’s presence there. They have not asked America and its troops to leave. That is why it is not hostilities. We are there at their invitation, not as a hostile force.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, very briefly to respond to my good friend from Kentucky, first of all, we are not conducting drone strikes out of Niger. We have not. We are not. We will not.

As far as the four troops who were killed in 2017, the good Senator knows that was well investigated; it was not during combat operations that they were killed that U.S. troops were involved in. It was a one-off that certainly was accidental. We are not engaged in hostilities or combat in Niger.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, opponents of this resolution say we are not involved in combat and that drones aren’t killing people. Guess what. All those records are secretive. They are all classified and put away from the American people. We have no idea what they are doing with drones. I tend to doubt it, and I do think drones have killed people.

I also think that we are using our ability to surveil and oversee the region to give them targets for their own drones. So, no, we are involved.

When they say that the people of Niger want us to stay, are they talking about the President who is in jail? The guy who was elected is in jail. Are they now saying it is justified to stay because a bunch of thugs who took over the government by military force want us to stay? What a crazy notion.

You are here on the floor today supporting the junta. You will support whatever it takes to stay there. You don’t care whether it is a democratically elected government or a junta, but it is a mess. The surrounding countries support the President, who is in jail—some of them. Two or three of them who have had juntas themselves support the junta. It is a mess. The French are leaving because it is a mess.

There is no clear mission. Our mission was to train their troops. Are you going to train the junta’s troops?

They have been declared a coup. Even the Biden administration has declared them a coup, and we are cutting off funding, but we are going to leave troops in the middle of a war. If they are killed by a terrorist attack, if hundreds of our soldiers are killed as they were in Beirut, I think people will rue the day you put our soldiers in the middle of a thankless situation, with no mission, no plan, and no approval by Congress.

I recommend a “yes” vote on the resolution.



The PRESIDING OFFICER. The Senator from Maryland.

UNANIMOUS CONSENT AGREEMENT—H.R. 4366

Mr. CARDIN. Mr. President, I would ask unanimous consent that there be 2 minutes of debate, equally divided, prior to each rollcall vote during the consideration of H.R. 4366.

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

Mr. CARDIN. Mr. President, I would ask consent that the vote scheduled for 11:30 begin immediately.

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

VOTE ON MOTION TO DISCHARGE

Mr. PAUL. Mr. President, I would ask unanimous consent that we proceed to the roll call vote, and I ask for the yeas and nays on this resolution.

The PRESIDING OFFICER. The question is on agreeing to the motion to discharge.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from California (Mr. PADILLA) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 11, nays 86, as follows:

[Rollcall Vote No. 270 Leg.]

YEAS—11

Braun	Markey	Sanders
Kaine	Marshall	Vance
Kennedy	Merkley	Welch
Lee	Paul	

NAYS—86

Baldwin	Fetterman	Reed
Barrasso	Fischer	Ricketts
Bennet	Gillibrand	Risch
Blackburn	Graham	Romney
Blumenthal	Grassley	Rosen
Booker	Hagerty	Rounds
Boozman	Hassan	Rubio
Britt	Hawley	Schatz
Brown	Heinrich	Schmitt
Budd	Hickenlooper	Schumer
Butler	Hirono	Scott (FL)
Cantwell	Hoeven	Shaheen
Capito	Hyde-Smith	Sinema
Cardin	Johnson	Smith
Carper	Kelly	Stabenow
Casey	Klobuchar	Sullivan
Cassidy	Lankford	Tester
Collins	Lujan	Thune
Coons	Lummis	Tillis
Cornyn	Manchin	Tuberville
Cortez Masto	McConnell	Van Hollen
Cotton	Menendez	Warner
Cramer	Moran	Warnock
Crapo	Mullin	Warren
Cruz	Murkowski	Whitehouse
Daines	Murphy	Wicker
Duckworth	Murray	Wyden
Durbin	Ossoff	Young
Ernst	Peters	

NOT VOTING—3

King	Padilla	Scott (SC)
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The motion was rejected.

**MILITARY CONSTRUCTION, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS ACT, 2024—Continued**

The PRESIDING OFFICER (Mr. HEINRICH). The Senator from Indiana.

AMENDMENT NO. 1182

Mr. BRAUN. Mr. President, I call up my amendment No. 1182 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Indiana [Mr. BRAUN], for himself and others, proposes an amendment numbered 1182 to amendment No. 1092.

The amendment is as follows:

(Purpose: To prohibit earmarks)

On page 2, after line 19, add the following:

**SEC. 4. PROHIBITION ON EARMARKS.**

(a) IN GENERAL.—Notwithstanding any provision of any division of this Act, none of the funds made available under any division of this Act may be used to implement any earmark, Community Project Funding, or Congressionally Directed Spending specified in any provision of any division of this Act or in any report described in section 3.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall prevent funds allocated for any earmark, Community Project Funding, or Congressionally Directed Spending included in any division of this Act or in a report described in section 3 of the matter preceding division A in this Act from being awarded under a merit-based process under existing law.

Mr. BRAUN. Mr. President, Americans are hurting more than I think in any other time since I have been here for sure; high inflation—I calculate in the 5 years I have been here, we have added 15 trillion to our national debt—struggling to make ends meet and I think inflation, and all of this is DC's fault.

Starting in 2021, Congress kept passing huge spending bills. We have never gone off of it since then. We now borrow a trillion dollars every 6 months; it used to be annually. Massive spending packages sail through this place because they are packed with pet projects. We have even brought back earmarks. Earmarks give Representatives, give Senators, the incentive to be big spenders. We should cut every earmark out of this bill and ban them permanently and quit loading up our kids and grandkids with the debt to pay for all this.

Shameful, in my mind.

The PRESIDING OFFICER. The Senator from Washington.

MAINE SHOOTING

Mrs. MURRAY. Mr. President, before I speak, I just want to take a moment to speak to the gut-wrenching shooting that occurred in Maine last night. The situation, I know, is still developing, and I am sure there will be more to say about what the Lewiston community is going through and what steps we, as a nation, must take to prevent gun violence.

But even as we get more information, it is painfully clear this was a horrific blow to a close-knit community, and I want my colleagues from Maine and everyone in Maine to know that my heart goes out to them, everyone who is affected by this tragedy, and I think I speak for all of us when I say the Senate stands with both of our colleagues from Maine.

AMENDMENT NO. 1182

Mr. President, now to the task at hand. Last Congress, Senate and House Committees on Appropriations leaders reinstated the practice of congressionally directed spending—or CDS—with bipartisan support. CDS is an important way for Senators to advocate for their States and the communities they know best through their investments in projects to improve transportation and drinking water infrastructure, support workforce development programs, childcare centers, so much more.

So at the beginning of this year, the Senator from Maine and I laid out a robust process to accept CDS requests for fiscal year 2024, and that process included extremely important guardrails: requiring each Senator who requested a CDS to certify neither they nor their immediate family members have any financial interest in the project, to ensure that each funded project is clearly identified in the reports with the requesting Senator's name and posted on our committee website, required Senators to publish their CDS requests on their own websites, established an audit process with the GAO, prohibited for-profit entities from receiving CDS funding, and established a total limit on the amount of funding that could be dedicated to CDS in our Senate bills.

Across the three bills in this funding package, the committee received nearly 7,000 CDS requests from 66 Senators on both sides of the aisle. Then our staff worked diligently to review all of those requests to make sure they met Agency eligibility requirements and complied with Senate rules and the additional guidelines we had set—if the project met those requirements, eligible for funding.

We respect the projects that Senators choose to request and their decisions on CDS priorities for their States and their constituents. And through the CDS process, Congress is exercising our constitutional power of the purse. After all, we all know better than anyone about the needs of our States and our constituents.

So I oppose this amendment, and I urge my colleagues to do so as well.

The PRESIDING OFFICER. The Senator from Maine.

MAINE SHOOTING

Ms. COLLINS. Mr. President, before I address the amendment offered by Senator BRAUN, let me thank the Senator from Washington State for her very kind comments expressing condolences to the people of Maine.

Our hearts are so heavy today. This heinous attack, which has robbed the lives of at least 18 Mainers and injured so many more, is the worst mass shooting that we could ever imagine in our State. This is a dark day for our State.

I am grateful for the expressions of support and offers of help and condolences that I have received from my colleagues and friends across the Nation as well as from the administration.

I have had conversations both last night throughout the night and early

this morning with President Biden, Secretary Mayorkas, Attorney General Merrick Garland, and special advisor to the President Tom Perez, who has been particularly helpful in mobilizing resources for the State of Maine so that this killer can be captured.

S.J. RES. 44

It is hard to transition from the terrible attack in Maine to talk about the Braun amendment, but that is what I must do.

First, let me make a very important point. What we are talking about is whether the legislative branch of government should make decisions about government spending or whether that decisionmaking should be given entirely to the executive branch when it comes to specific projects.

We are not talking about adding more money; we are talking about who makes the decision. And, indeed, in our Senate appropriations bills, less than one-half of 1 percent of the funding is allocated to congressionally directed spending projects.

This process has provided opportunities for Members of Congress from both parties who understand the needs of their constituents far better than every Federal Agency to advocate for specific investments in their local communities.

As Chair MURRAY has said, we have included safeguards to promote transparency and accountability. First, we prohibit for-profit entities from eligibility. Second, we require public disclosure to ensure that spending decisions are made in the light of day. For the appropriation measures before us today, each Member's CDS request has been posted online since April. There is no secrecy here. They also include a certification that neither the Member of Congress nor members of their immediate family have any financial interest in the CDS items that they have requested.

Further, the disclosure tables for each bill list each Member who submitted a request for a particular project that was funded. These tables have been available online since this past summer when the bills were considered and approved in committee.

The directed investments of these three bills that we are considering will make a difference to our constituents. They include funding to support agricultural research, local transportation and community development projects, as well as military construction projects that are on the service's unfunded priorities list.

So I urge my colleagues to protect our constitutional power of the purse and support the Senate's ability to make substantive, tangible investments in our communities. I urge a "no" vote on Senator BRAUN's amendment.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. First of all, I echo the comments of Senators Collins and Murray on the tragedy in Maine. We see it all too often.

When it comes to this place, we don't do budgets anymore. We haven't done them—that we have adhered to—in over 20 years.

We piled up—to give you a little taste of debt—\$5 trillion in debt in 2000. We added another \$6 trillion, I believe, or \$5 trillion by 2008. We added another 8 from 2008 to 2016. Where is it going to end?

Yes, Congressional Directive Spending would be OK if it was in the context of actually doing budgets and not borrowing all this money from our kids and grandkids.

This is symbolic mostly, but going back to earmarks just says we are putting a rubber stamp on the dysfunction that drives this place in the first place.

I yield.

VOTE ON AMENDMENT NO. 1182

Mr. BRAUN. And I ask for the yeas and nays.

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

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from California (Mr. PADILLA) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 35, nays 62, as follows:

[Rollcall Vote No. 271 Leg.]

#### YEAS—35

Barrasso	Fischer	Ricketts
Blackburn	Grassley	Risch
Braun	Hagerty	Romney
Budd	Hawley	Rubio
Cassidy	Hoeven	Schmitt
Cornyn	Johnson	Scott (FL)
Cotton	Kennedy	Tester
Cramer	Lankford	Thune
Crapo	Lee	Tuberville
Cruz	Lummis	Vance
Daines	Marshall	Young
Ernst	Paul	

#### NAYS—62

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hickenlooper	Rounds
Booker	Hirono	Sanders
Boozman	Hyde-Smith	Schatz
Britt	Kaine	Schumer
Brown	Kelly	Shaheen
Butler	Klobuchar	Sinema
Cantwell	Lujan	Smith
Capito	Manchin	Stabenow
Cardin	Markey	Sullivan
Carper	McConnell	Tillis
Casey	Menendez	Van Hollen
Collins	Merkley	Warner
Coons	Moran	Warnock
Cortez Masto	Mullin	Warren
Duckworth	Murkowski	Welch
Durbin	Murphy	Whitehouse
Fetterman	Murray	Wicker
Gillibrand	Ossoff	Wyden
Graham	Peters	

#### NOT VOTING—3

King	Padilla	Scott (SC)
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The amendment (No. 1182) was rejected.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE FOOD AND NUTRITION SERVICE RELATING TO "APPLICATION OF BOSTOCK V. CLAYTON COUNTY TO PROGRAM DISCRIMINATION COMPLAINT PROCESSING-POLICY UPDATE"

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the Senate will proceed to the consideration of S.J. Res. 42, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 42) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Food and Nutrition Service relating to "Application of Bostock v. Clayton County to Program Discrimination Complaint Processing-Policy Update".

The PRESIDING OFFICER. There is now 30 minutes of debate, equally divided.

The Senator from Michigan.

Ms. STABENOW. Mr. President, also from Michigan, it is wonderful to see you in the Chair.

Mr. President, I want to explain how we got here today because you are going to hear a lot of things that are just false today and, frankly, are things that, I believe, are mean and using some of our most vulnerable children for political stunts.

But let's start. Why are we having this discussion? Well, the Supreme Court has ruled that discrimination based on sex includes sexual orientation and gender identity. In general, it makes sense. The administration, including the U.S. Department of Agriculture, is simply updating its policies to comply with the law.

Now, last year, 22 Republican attorneys general took the Department of Agriculture to court based on the argument that you will hear today from this resolution's sponsor. Everything you will hear they sued the Department of Agriculture over, and the court just dismissed the case. They completely dismissed the case. In fact, the opinion dismissing the lawsuit called the Republicans out for their political stunt. This is the judge saying this, stating that this case had nothing to do with bathrooms or sports teams. And the judge then said that this case is about food stamps and nutrition—not bathrooms, not sports teams, not free speech, and not religious exercise. It is about whether or not the USDA—how they administer food benefits: school breakfast, school lunch, after-school snacks, and other kinds of school and other food programs. And the judge said: The plaintiff States want to ignore a Federal statute and discriminate against poor people who do not conform to traditional conception of sex.

So this is about food programs.

And then the judge went on to say: The plaintiff States' insistence to the

contrary is no more than an invitation to join a political discussion untethered to applicable statutes or precedent. The court will instead simply apply the law.

So I urge the rejection of what has been called a political stunt by the Federal court. I am calling it a political stunt because it is very clear that children are being used to address what some colleagues have said is just “red meat” to Republicans, to feed the cultural wars.

Now, I want to say that I am really glad that my Republican colleagues are so concerned about feeding kids, and they should be happy to know that the USDA food and nutrition policies have nothing to do with school bathrooms and nothing to do with school sports. The USDA food programs have nothing to do with funding the rest of the school programs. The Federal nutrition money is not used on anything else. It can't be withheld on anything else or for funding anything else, other than the school meals. That is what it is all about.

This whole exercise is nothing more than a political stunt using children, as I said before, to stoke the made-up cultural wars. Every child deserves to enjoy school breakfast or lunch without being singled out for being LGBTQ+, period. That is all this is about.

I also want to just add that the Biden administration is focused on making sure the kids have access to meals and families can put food on their table, and it is absurd that anyone would say otherwise. They have increased access to free meals for students, expanded local food options, and are making meals healthier.

And we came together, at the end of last year, Senator BOOZMAN and I, and led an effort to expand summer meals. It was a wonderful bipartisan effort to make sure, in the summer, that we have 29 million children, who would otherwise not eat healthy meals, have a chance to get a healthy meal.

So we should be working together on bipartisan efforts to provide healthy food for our children. This exercise does not accomplish that. It is nothing more, unfortunately, than a cruel political stunt.

I urge my colleagues to vote no.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise today in strong opposition to S.J. Res. 42, which I view as a cruel effort to green-light discrimination against LGBTQ+ children.

My colleagues—some of them—across the aisle have made false claims about a policy that the Biden administration has released, a policy that makes clear the obvious: that every child should be able to get lunch at school no matter their race, religion, ability, gender identity, sex, or sexual orientation. That is it—a simple, narrow directive from the USDA that says schools that receive Federal funding for nutrition

assistance must not discriminate within the confines of these nutrition programs on the basis of gender identity, sex, or sexual orientation.

This is not about bathrooms. This is not about locker rooms. This is not about sports. This is also not about pushing some alleged agenda. This is about feeding children, period.

Since this policy was issued over a year ago, in May of 2022, the USDA has initiated no enforcement-related actions, not a single case—zip, nada, zero. This is a “solution” in search of a problem. The actual problem is some of my Republican colleagues’ continued efforts to pick on LGBTQ+ children for their own political gain. By overturning this policy, my Republican colleagues are essentially arguing that discrimination based on gender identity, sex, and sexual orientation is OK.

Well, I am so glad that there haven't been any instances of this happening. Just imagine the scenario that my colleagues are trying to allow. All of us—all of us—in the Senate represent LGBTQ+ children and their families.

Say you are one of those children and you are told you can't have your school breakfast or lunch because of who you are, depriving a child of eating because Congress has decided that that would be OK.

This is not OK. This resolution is not about doing good for the American people or making their lives better. In fact, it is quite the opposite. Resolutions like these have a profound impact on LGBTQ+ kids and their families.

I rise today to remind my Republican colleagues that their actions do not go unnoticed by LGBTQ+ children, kids who already face increased adversity every day in the form of harassment or bullying or discrimination. As a consequence, LGBTQ+ youth are four times as likely to attempt suicide than their peers, and nearly 60 percent of LGBTQ+ youth report experiencing symptoms of depression.

Our words matter. Our actions here matter. When some Republicans attack gay and trans children, our kids hear that. They hear that they are not welcome at school, in public, and, tragically, sometimes even at home. They hear that their rights are lesser than their peers because of simply who they are. They hear that they don't have the same freedoms and liberties as every other kid. They hear that the adults in the room, including some of my colleagues here in Congress, do not care.

Well, I care, and that is why I am standing up against this attack and, frankly, all the attacks I am seeing on gay and trans kids. LGBTQ+ children deserve the freedom to be like any other kids, whether that be playing sports, joining a club, or just being a kid, free from bullying and harassment and discrimination. And that, of course, includes the school lunch line. These kids have a right to a life without harassment or further stigmatization.

Should this misguided resolution go through, Congress is giving folks a free

pass to deny a school lunch to a kid just because of who they are. And, make no mistake, this resolution would make our LGBTQ+ kids feel less welcome and less safe in their own schools. This policy is about feeding children no matter who they are, and it is just that simple. Please vote no.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, Republicans need to leave the kids alone—leave the kids alone. Right now, they are trying to deny food to LGBTQ kids because they have disagreements about policies concerning trans people. Instead of debating those disagreements among adults, they are holding school lunches for kids hostage.

I want to be really clear about what this proposal would do and the message that it would send to millions of Americans. It would overturn a policy that prevents LGBTQ kids and adults from being discriminated against while accessing Federal nutrition assistance like school meals, food banks, SNAP benefits.

You have an issue with high school sports? I think you are wrong, but have at it. You have a view about trans people? I think you are wrong, I think it is terrible, but have at it. But leave the kids alone. Let them eat. Let the children have a lunch. Every kid deserves a square meal. Leave them alone.

Most people are fortunate enough to not have to worry about where their next meal will come from. It is just a routine part of life. But that isn't the case for many queer Americans who are twice as likely to experience food insecurity, according to the Census Bureau. And trans people are three times as likely to be food insufficient compared to cisgender individuals.

This policy is not just another line in the rule book; it is the difference between people having a meal and going to bed hungry. If we can't hold kids harmless—if we can't hold kids harmless—what the hell are we doing here? Can't we have some boundaries to the culture wars? Can't we have some disagreements without looping in the children? They are kids; we are adults. We are responsible for their health and safety. Let them have a square meal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, it is always a great honor to come to this hallowed floor to fight for our youth, our Nation's greatest treasure.

I would ask the White House to leave our kids alone. They are the ones that have picked this fight. It is the White House that won't leave our kids alone.

I rise in support of S.J. Res. 42, which would strike down a policy memorandum regarding the Federal school lunch program that the USDA issued that has been weaponized against our youth. That is right. This administration is using school lunches to attack our youth, to implement their transgender policies.

Let me begin by stating as a physician, as an OB/GYN, I devoted my entire life to the health and well-being of moms and children. From a mother's first visit to our office to the baby's birth and during the childhood, nutrition is a key to the healthy development and growth of every infant, toddler, and school-age child. During my time as a doctor and now on Capitol Hill, there is nothing I stress more to moms than the importance of nutrition.

With that being said, I would like to make it abundantly clear as I address this Chamber, there is no greater champion for children's health and nutrition than me. That is why, as you can imagine, I am deeply troubled by the way my friends across the aisle have described the intent of this resolution today. I am actually shocked by just how wrong and, frankly, deceitful they are with their tactics and messaging on this CRA.

Let me be clear, the only player in this policy fight that wants to and has actually suspended access to the school lunch program is the Biden administration. After 3 years, I thought I had seen it all when it came to what this current administration is willing to do in order to force its radical transgender agenda on the American people. Unfortunately, we have underestimated how committed they are to forcing this harmful ideology on all of us.

Today, I am bringing this resolution to the floor to expose the lengths the Biden administration is willing to go to appease the far-left factions of their party. I learned a long time ago with this White House: Don't listen to what they say; watch what they do. Take note; observe their actions.

Listen to this: A memorandum issued by the USDA last May shows they have extended fighting the cultural war in a way that leaves school lunches for children hanging in the balance. Right now, as I stand here in this Chamber, the Biden administration is threatening food assistance for low-income kids unless the schools they attend carry out their transgender agenda, putting children's access to lunch at risk.

This resolution of disapproval we are considering today aims to overturn this horrific policy memorandum for the USDA which would deny low-income kids access to the Federal school lunch program if their school does not adhere to the Biden administration's mandate. This includes, but is not limited to, requiring biological boys to be given access to girls' bathrooms and locker rooms or allowing biological boys to compete in girls' sports.

We have heard all these stories of young women denied opportunities to win a championship or gain a scholarship because a biological boy was allowed to compete in their events. Listen, this is flat-out wrong. As someone who was a middle school student when title IX was enacted and I saw firsthand the value of that law to allow

young girls to participate in school sports—many of whom went on to receive athletic scholarships—to see this action by the White House is heart-breaking.

The USDA memorandum would force Christian schools to abandon their religious beliefs. Listen, this is not hyperbole or political rhetoric. The Biden administration has already weaponized the school lunch program and suspended access to the school lunch program specifically in two schools, requiring both to file lawsuits over losing Federal food assistance.

In California, the USDA has actually taken away school lunch funding from kids because a Christian school refused to violate their closely held religious beliefs and their hiring policies because this school wanted to draw the workforce from a pool of individuals who share their values and live out their religious convictions. Children, including LGBTQ families, had their Federal funding for their lunches taken away. This is fact.

What is ironic here is there was an original case in Florida where USDA granted an exemption for religious schools and forced the Federal statute that includes a robust religious exception. But this year, a second lawsuit has been filed because the USDA wasn't abiding by the standard the statute set. If the USDA is not going to follow its own exemption and ignore Federal law, then we must act—and we must act today.

More than 20 Republican attorneys general agree with me and are suing the USDA over the policy memorandum. If this USDA policy continues, schools risk losing Federal funds for free and reduced lunches.

In total, more than 29 million students nationwide receive free or reduced lunch programs, something I am proud to support.

We must protect these children's food security, their privacy, and their safety at all costs. The USDA has no authority to force this on our children or the schools they attend; to adhere to woke mandate such as requiring boys to be given access to girls' bathrooms and locker rooms or allowing boys to compete against girls in girls' sports. The USDA has no authority to tell Christian schools they have to violate their religious beliefs.

I will wrap up it up with this. We must stop this policy dead in its tracks to protect access to school lunches for students across this country and send a clear message to this administration: Stop weaponizing the Federal Government.

Let me state again: The only player in this policy fight aiming to take away access to the school lunch program is the Biden administration. This CRA would not allow for discrimination against kids in the lunch line. That is protected by Federal law. It is in the statute.

With that, I encourage my colleagues to support its passage.

I would like to yield the remainder of my time to the Senator from the great State of Texas, Senator CRUZ.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, I rise today to support Senator MARSHALL's resolution of disapproval of this outrageous rule.

I have to say, as I sat here on the Senate floor, I listened to my friend from Hawaii give his floor remarks. As I listened to what he said, I wrote down some of what he said. He said "Kids need to eat." He said "Don't take the food away from children." And he said "Don't drag children into the culture wars."

I have to admit, Mr. President, I felt like I was in "Alice in Wonderland" and that I had gone through the looking glass because I agree emphatically with all three of those statements; and, for a moment there, I thought the Senator from Hawaii had given a speech in support of this resolution of disapproval.

What is this issue about? Understand what it is about. It is Joe Biden and the Democrats who are taking food away from children. The U.S. Department of Agriculture has told schools: We will cut off your school lunch funding. We will take the food off of your plates and out of your mouths unless the schools comply with the Biden administration's radical transgender policies.

It is Joe Biden and the Democrats and every Democrat who votes in favor of this policy who are saying: We are going to take food away from kids. Why? Because to today's Democratic Party, feeding children—and, mind you, we are talking about low-income kids, many of whom the only food they get that day, they get at school—and the Democrats are going to say: We are taking away your food. Why? Because today's Democrat Party is committed to the proposition that a boy who identifies as a girl should be allowed to use the girls' restrooms; should be allowed to shower with teenage girls, even if the girls don't want it; that 10-, 12-, 14-, 15-year-old girls should be forced to shower naked next to someone who is biologically male. This is not hypothetical. Members of the Judiciary Committee listened to the testimony of Riley Gaines, a national champion swimmer who was forced, under these same idiotic policies, to shower in a shower next to someone biologically male with full male equipment. She wasn't asked for her consent. I ask the women in this Chamber: How many of you would be excited to be forced to shower with someone biologically of the opposite sex?

Today's Democratic Party has embraced the radical and extremes. When it comes to sports, their view also is that boys should be able to compete against girls in sports and men should be able to compete against women in sports. And this is happening all over the country.

I believe in women's sports. I believe in girls' sports. I have two young daughters. Sports are amazing for girls to learn discipline, hard work, and teamwork. Title IX has opened doors for young women to go to college. And yet the Democrats' extreme transgender ideology is destroying girls' sports and women's sports.

This is not a matter of gender or gender identity; this is a matter of fairness. Anyone who is not consumed by ideology understands there is a difference between boys and girls. There are biological differences between boys and girls. There is a reason why, recently, in Canadian power lifting, a biological male won the women's power lifting, beating the second-place competitor by, if I remember correctly, 463 pounds. It is not fair to force little girls to compete against biological boys.

The Democrats don't care about fairness. They care about extreme ideology. And every Democrat who votes against this CRA is voting to take the food from hungry kids because that is how radical they are in enforcing this policy.

I urge every Senator to vote aye.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. I ask unanimous consent that I be permitted to speak for up to 5 minutes and Senator STABENOW be permitted to speak up to 1 minute prior to the scheduled vote.

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

Mr. MURPHY. Mr. President, on the merits, this resolution is just absurd. The Department of Agriculture is not, as Senator CRUZ alleges, punishing schools based upon how they label bathrooms or what they teach in health classes. The offenses that Senator MARSHALL and Senator CRUZ are alleging here are just made up.

What the Department is saying is simple: If you are feeding poor kids, it shouldn't matter whether that kid is straight or gay or transgender, whether they are Black or White, whether they are Catholic or Protestant. You can't choose not to feed a kid because of their ethnicity, their race, or their sexual orientation. That is just common sense. I will guarantee you, 90 percent of the Americans agree with that sentiment.

The reason we are debating this resolution, though, isn't because there is a problem that needs to be solved. We are debating this resolution because the rightwing in this Nation has launched a relentless and unceasing campaign to marginalize, demonize, and bully kids who are gay, transgender, or non-binary.

All across the country, the Republican State legislatures are introducing bills designed to demonize gay children, to make people believe that these kids are a threat to others, hundreds and hundreds of bills all centered on the same lie as this resolution: That it is not OK to be gay, that it is abnormal

to be transgender, and that society should rally around efforts to bully and shame these children and their families.

A few weeks ago, I finished up my annual walk across the State of Connecticut. I do it each year. I spend a week walking about 20 miles a day, talking to hundreds of people—most of them totally nonpolitical—about what they care about and what they want their leaders to be working on. Do you know what nobody talked to me about on that walk? Children's sexual orientation, drag shows in schools, bathroom labeling. Do you know what they did talk to me about? Wages not keeping up with costs, the safety of their neighborhoods, Israel, opioids, drug costs.

This obsession that Senator MARSHALL and Senator CRUZ and their rightwing allies have with the sexual orientation of our kids is so divorced from what people are actually talking about in this country.

It is no wonder the candidacy of Ron DeSantis—really founded on his relentless similar campaign of attacks against gay kids and adults in Florida—is floundering because even primary voting Republicans think that this obsession that Republicans have with children's sexual orientation or gender identity is just super creepy and super weird, and it has nothing to do with the actual set of problems this Nation is facing.

But there is one problem attached to this resolution: There are consequences to what Senator MARSHALL and Senator CRUZ are proposing. When leaders choose to make bullying and marginalizing gay kids a top priority, kids listen. Fuel gets given to their bullies. People like the Senators who are sponsoring this resolution legitimize attacks on gay kids and make those kids feel inferior and alone.

The students at Seth Walsh's school were systematic in the way they targeted him because he was gay. They pushed him down the stairs. They kicked him until he was badly bruised. They screamed at him. They called him names. No doubt these bullies took direction and inspiration from adults who paved the way, who endorsed this kind of behavior.

Then one day after one of these incidents, a frightened Seth called his mom, and he said, "Mom, you have to come get me right now." His mother could feel the fear in his voice, so she grabbed Seth's little brother, and they rushed out the door, they went to the school, and they brought him home. His mom was so supportive. That afternoon, they just sat and they talked.

Seth went upstairs and took a shower to calm himself down. Afterwards, he came downstairs and asked his mom for a pen, told her he was going outside to play with the dogs. Ten minutes later, his mom went outside to continue this conversation with her son, but it was too late. Seth had hung him-

self from a tree, and the pen he had asked for was for his suicide note.

Seth Walsh was 13 years old.

A recent survey of transgender youth showed that half of them—52 percent of them—have contemplated suicide over the last year. Just think about that for a second. Half of the kids who are transgender come to the conclusion at some point in their young lives that they would be better off dead—dead—than to live in a world that believes they are threats to be marginalized or expunged.

How small, how tiny do you have to be to reach a position of political leadership and choose to use that position to bully or shame kids like Seth.

This campaign of targeting and marginalizing gay and transgender kids, trying to convince the country that they are threats to this country, it is just wrong on the facts, it is wrong morally, it has lethal consequences, and it should stop.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I want to thank my colleague for his comments.

This is so serious for children. But let me be clear. Clear. The U.S. Department of Agriculture nutrition programs do not fund anything related to school bathrooms or school sports. This is a rule about making sure all children have access to school meals. They are not discriminated against. The children aren't blocked from getting school meals if they are gay or nonbinary or transgender.

And it is true, there were 22 Republican attorneys general who took the Department of Agriculture to court. Do you know why? The case got thrown out. The case got thrown out, and the judge called it a political stunt.

The USDA has not threatened to withhold food from any child in school. In fact, the case that my friend talked about was a California statute, not USDA. The USDA has not threatened to withhold food from any child in school, period.

So I am committed to advancing real policies that make a difference to our children but not wasting the Senate's time on political stunts.

The PRESIDING OFFICER. The Senator's time is expired.

Ms. STABENOW. I urge my colleagues to vote no.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. I ask unanimous consent for 30 more seconds for one brief point.

The PRESIDING OFFICER. Is there objection?

Hearing none.

Mr. MARSHALL. The only player in this policy fight that wants to take away lunches from schoolchildren is the Biden administration. Since they are unaware this is already happening, here are the two court cases where schools have had to sue in order to feed children at their schools. The first one

is Grant Park Christian Academy v. Fried; the second, the Church of Compassion v. Johnson. The USDA was party to those.

I urge a "yes" vote.  
I yield back.

VOTE ON S.J. RES. 42

The PRESIDING OFFICER. The clerk will read the bill by title for the third time.

The joint resolution was ordered to be engrossed for a third reading and was read the third time. The PRESIDING OFFICER. The joint resolution having been read the third time, Shall the joint resolution pass?

Mr. MARSHALL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from California (Mr. PADILLA) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 47, nays 50, as follows:

[Rollcall Vote No. 272 Leg.]

#### YEAS—47

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

#### NAYS—50

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

#### NOT VOTING—3

King	Padilla	Scott (SC)
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The joint resolution (S.J. Res. 42) was rejected.

(Mr. SCHATZ assumed the Chair.)

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

Mr. SCHUMER. Mr. President, before I begin, I want to note that I am wearing a dog tag given to me this morning by one of the families of the hostages held in Gaza. So we pray and hope for their release.

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 306.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Matthew James Maddox, of Maryland, to be United States District Judge for the District of Maryland.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 306, Matthew James Maddox, of Maryland, to be United States District Judge for the District of Maryland.

Charles E. Schumer, Richard J. Durbin, Tammy Duckworth, Mazie Hirono, Richard Blumenthal, Christopher A. Coons, Alex Padilla, Patty Murray, Sheldon Whitehouse, Debbie Stabenow, Tina Smith, Benjamin L. Cardin, Chris Van Hollen, Tim Kaine, Brian Schatz, Christopher Murphy, Peter Welch.

### 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. 370.

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

The motion was agreed to.

The clerk will report the nomination. The senior assistant legislative clerk read the nomination of Jacob J. Lew, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Israel.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 370, Jacob J. Lew, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Israel.

Charles E. Schumer, Benjamin L. Cardin, Debbie Stabenow, Tammy Duckworth, Mark Kelly, Tina Smith, Tammy Baldwin, Robert P. Casey, Jr., Elizabeth Warren, Christopher A. Coons, Tim Kaine, Christopher Murphy, Sheldon Whitehouse, Jeanne Shaheen, Richard Blumenthal, Chris Van Hollen, Richard J. Durbin.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, October 26, be waived.

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

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

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

### TRIBUTE TO SYDNEY BURGESS

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Sydney for her hard work as an intern in my Washington, DC, office. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Sydney is a native of Virginia. She is currently a junior at the Madeira School in McLean, VA. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Sydney for the dedication she has shown while working for me and my staff. It is a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her journey.

### TRIBUTE TO SHAWN GREMP

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Shawn for his hard work as an intern in my Washington, DC, office. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Shawn is a native of Casper. He recently graduated from the University of Wyoming, with a degree in criminal justice and a minor in psychology. He has demonstrated a strong work ethic,



which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Shawn for the dedication to our office. It is a pleasure to have him as part of our team.

#### TRIBUTE TO CASSIE HENGEL

Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Cassie for her hard work as an intern in the Energy and Natural Resources Committee. I recognize her efforts and contributions to my office, as well as to the State of Wyoming.

Cassie is a native of Buffalo. She attends the University of Wyoming, where she studies environment and natural resources concurrent with political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Cassie for the dedication to our office. It is a pleasure to have her as part of our team.

#### MESSAGES FROM THE PRESIDENT

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

#### EXECUTIVE MESSAGES REFERRED

As 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.)

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3135. A bill making emergency supplemental appropriations for assistance for the situation in Israel for the fiscal year ending September 30, 2024, and for other purposes.

#### 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-2616. A communication from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting a legislative proposal that would authorize the U.S. Army Corps of Engineers (Corps) to transfer funds received for the replacement or rehabilitation of Corps-owned bridges to state and local agencies for those agencies to use for necessary rehabilitation or replacement to facilitate the transfer of ownership of

those bridges from the Corps to those agencies; to the Committee on Environment and Public Works.

EC-2617. A communication from the Wildlife Biologist of Migratory Bird Management, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Final 2023-24 Frameworks for Migratory Bird Hunting Regulations" (RIN1018-BF64) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Environment and Public Works.

EC-2618. A communication from the Wildlife Biologist of Migratory Bird Management, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; 2023-24 Seasons for Certain Migratory Game Birds" (RIN1018-BF64) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Environment and Public Works.

EC-2619. A communication from the Administrative Assistant, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassification of the Relict Darter from Endangered to Threatened With a Section 4(d) Rule" (RIN1018-BF56) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Environment and Public Works.

EC-2620. A communication from the Chief of Bird Conservation, Permits, and Regulations, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "General Provisions; Revised List of Migratory Birds" (RIN1018-BG04) received in the Office of the President of the Senate on October 16, 2023; to the Committee on Environment and Public Works.

EC-2621. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Increase in the Maximum Amount of Primary Nuclear Liability Insurance" (RIN3150-AL02) received in the Office of the President of the Senate on October 23, 2023; to the Committee on Environment and Public Works.

EC-2622. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guide (RG) 1.183 Rev 1, 'Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors'" received in the Office of the President of the Senate on October 16, 2023; to the Committee on Environment and Public Works.

EC-2623. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Regulatory Guide (RG) 1.183 Rev 1, 'Alternative Radiological Source Terms for Evaluating Design Basis Accidents at Nuclear Power Reactors'" received in the Office of the President of the Senate on October 16, 2023; to the Committee on Environment and Public Works.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-80. A joint resolution adopted by the Legislature of the State of Alaska urging the

United States Environmental Protection Agency to develop a woodstove certification program that addresses the threat to clean and healthy winter air in Fairbanks and urging the state Department of Environmental Conservation to develop an economically and legally defensible state implementation plan for the Fairbanks North Star Borough nonattainment area; to the Committee on Environment and Public Works.

#### HOUSE JOINT RESOLUTION No. 11

Whereas, in November 2009, the United States Environmental Protection Agency designated part of the Fairbanks North Star Borough a nonattainment area for fine particle pollution; and

Whereas, in May 2017, the United States Environmental Protection Agency reclassified the Fairbanks North Star Borough nonattainment area from moderate to serious for particulate matter 2.5 (PM<sub>2.5</sub>), which are fine inhalable particles with diameters that are generally 2.5 micrometers and smaller; and

Whereas PM<sub>2.5</sub> pollution is of serious concern and is harmful to the health of vulnerable Alaskans subjected to it; and

Whereas, in the winter, PM<sub>2.5</sub> concentrations in the Fairbanks North Star Borough nonattainment area routinely exceed federal health-based standards; and

Whereas air quality issues could affect large-scale economic development, including military expansion; and

Whereas studies have identified wood burning as the greatest contributor of PM<sub>2.5</sub> pollution; and

Whereas the state Department of Environmental Conservation has developed a state implementation plan to address wood burning as the root cause of PM<sub>2.5</sub> pollution; and

Whereas actual PM<sub>2.5</sub> pollution measured across the Fairbanks North Star Borough nonattainment area has halved as the result of efforts taken under the state Department of Environmental Conservation's moderate and serious state implementation plans; and

Whereas a significant reduction in PM<sub>2.5</sub> emissions has been attributed to the replacement of solid fuel burning appliances, also known as woodstoves, with either new United States Environmental Protection Agency-certified solid fuel burning appliances or non-solid fuel burning appliance alternatives; and

Whereas United States Environmental Protection Agency-certified appliances installed in the Fairbanks North Star Borough nonattainment area did not decrease PM<sub>2.5</sub> emissions when compared to previously installed solid fuel burning appliances because of the United States Environmental Protection Agency's failure to competently manage and implement testing standards for this program; and

Whereas the United States Environmental Protection Agency approved the state Department of Environmental Conservation's standards for wood-fired heating devices and solid fuel burning appliance control measures from the serious state implementation plan in September 2021, effectively supporting the state Department of Environmental Conservation's finding that the United States Environmental Protection Agency's national wood heater certification program is deeply flawed; and

Whereas, at the national policy level, the United States Environmental Protection Agency seems intent on turning attentions toward so-called greener sources of heat, including electric heat pumps, that will not work as solutions in the Fairbanks North Star Borough because the second law of thermodynamics states that heat always moves from hotter objects to colder objects, unless energy in some form is supplied to reverse the direction of heat flow; and

Whereas residents of the Fairbanks North Star Borough need adequate and affordable sources of heat in harsh subarctic winter conditions, and the state Department of Environmental Conservation has acknowledged that a pathway for the use of solid fuel burning appliances is essential to these Alaskans; and

Whereas the state Department of Environmental Conservation's state implementation plan was crafted in adherence to an enormous effort from the local stakeholders group; and

Whereas the United States Environmental Protection Agency has yet to provide a working model necessary to dismiss overly burdensome and expensive controls on local power plants that insignificantly contribute to air pollution during air alert days in the Fairbanks North Star Borough; and

Whereas the United States Environmental Protection Agency proposes to mandate these more expensive controls, even though such an investment would be unlikely to reduce exposure to unhealthy air; and

Whereas the United States Environmental Protection Agency would further mandate ultra-low-sulfur diesel for home heating oil, driving up the cost of living for residents of the Fairbanks North Star Borough; and

Whereas these actions will drive residents to solid fuel burning appliances as a source of heat; and

Whereas the United States Environmental Protection Agency has nevertheless reverted to a liability-averse course of disapproval for the state Department of Environmental Conservation's state implementation plan that would impose costly and burdensome regulations; Now, therefore, be it

*Resolved*, That the Alaska State Legislature urges the United States Environmental Protection Agency to develop a woodstove certification program that the state Department of Environmental Conservation and residents of the Fairbanks North Star Borough nonattainment area can rely on to address the core threat to clean and healthy winter air in Fairbanks; and be it further

*Resolved*, That the Alaska State Legislature urges the state Department of Environmental Conservation to continue efforts to develop and defend a state implementation plan for the Fairbanks North Star Borough serious nonattainment area that acknowledges the unique challenges Alaskans face, is economically and technically feasible, and is legally defensible, while avoiding costly and burdensome requirements that further such hardships; and be it further

*Resolved*, That the Alaska State Legislature urges the state Department of Environmental Conservation to investigate all options to defend its state implementation plan, which reflects the community's needs and engagement, from federal attack, in court if necessary.

Copies of this resolution shall be sent to the Honorable Joseph R. Biden, President of the United States; the Honorable Kamala D. Harris, Vice President of the United States and President of the U.S. Senate; the Honorable Deb Haaland, United States Secretary of the Interior; the Honorable Michael S. Regan, Administrator of the U.S. Environmental Protection Agency; and the Honorable Lisa Murkowski and the Honorable Dan Sullivan, U.S. Senators, and the Honorable Mary Peltola, U.S. Representative, members of the Alaska delegation in Congress.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

\*Patricia L. Lee, of South Carolina, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2027.

Navy nomination of Rear Adm. (1h) Jeffrey J. Czerewko, to be Rear Admiral.

Army nomination of Col. Paul T. Sellars, to be Brigadier General.

Army nomination of Col. Michael C. Henderson, to be Brigadier General.

Army nominations beginning with Brig. Gen. Richard T. Appelhaus and ending with Brig. Gen. Richard L. Zellmann, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2023. (minus 2 nominees: Brig. Gen. Jason E. Kelly; Brig. Gen. Hope C. Rumpy)

Army nominations beginning with Col. Kristina J. Green and ending with Col. Colin J. Morrow, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2023.

Army nomination of Col. Anthony B. Poole, to be Brigadier General.

Army nominations beginning with Brig. Gen. James A. Benson and ending with Brig. Gen. Katherine E. White, which nominations were received by the Senate and appeared in the Congressional Record on September 21, 2023. (minus 1 nominee: Brig. Gen. Patrick C. Thibodeau)

Air Force nomination of Brig. Gen. Michael J. Regan, Jr., to be Major General.

Air Force nomination of Col. Harold W. Linnean III, to be Brigadier General.

\*Army nomination of Lt. Gen. Douglas A. Sims II, to be Lieutenant General.

\*Army nomination of Maj. Gen. David T. Isaacson, to be Lieutenant General.

\*Space Force nomination of Maj. Gen. Douglas A. Schiess, to be Lieutenant General.

Mr. REED. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of William D. Magee, to be Colonel.

Air Force nominations beginning with Reagan Howard Beaton and ending with Pilar G. Wennrich, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Air Force nominations beginning with Joseph Benjamin Ahlers and ending with Laura Ashley Wagner, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Air Force nominations beginning with Jeremiah L. Blackburn and ending with Thomas A. Webb, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Army nomination of Zara M. Scribner, to be Major.

Army nominations beginning with Donald T. Criswell and ending with Peter A. Williams, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Army nominations beginning with Joseph M. Baumann and ending with Jacob H. Youmans, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Army nominations beginning with David A. Brunais and ending with Jeremiah J.

Oligario, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Army nomination of Erick Leon, to be Major.

Army nomination of Brian C. Satterlee II, to be Lieutenant Colonel.

Army nomination of Michael D. Norton, to be Colonel.

Army nominations beginning with Michael A. Bryant and ending with Steven L. Williams, which nominations were received by the Senate and appeared in the Congressional Record on October 19, 2023.

Army nomination of Joshua W. Brown, to be Colonel.

Marine Corps nomination of Christopher F. Melling, to be Major.

Navy nomination of T. M. Alford, to be Captain.

Space Force nomination of Dustin L. White, to be Lieutenant Colonel.

Space Force nominations beginning with John S. Donelson and ending with Ryan M. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on September 27, 2023.

By Mr. DURBIN for the Committee on the Judiciary.

John A. Kazen, of Texas, to be United States District Judge for the Southern District of Texas.

Shanlyn A.S. Park, of Hawaii, to be United States District Judge for the District of Hawaii.

Jamel Semper, of New Jersey, to be United States District Judge for the District of New Jersey.

Micah W.J. Smith, of Hawaii, to be United States District Judge for the District of Hawaii.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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. HASSAN (for herself and Mrs. BLACKBURN):

S. 3136. A bill to amend title XIX of the Social Security Act to extend the requirement for State Medicaid plans to provide coverage for medication-assisted treatment; to the Committee on Finance.

By Ms. DUCKWORTH (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. CASEY, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. MERKLEY, Mr. PADILLA, Ms. SMITH, Ms. WARREN, and Mr. WHITEHOUSE):

S. 3137. A bill to allow Americans to receive paid leave time to process and address their own health needs and the health needs of their partners during the period following a pregnancy loss, an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure, a failed adoption arrangement, a failed surrogacy arrangement, or a diagnosis or event that impacts pregnancy or fertility, to support related research and education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Ms. BALDWIN, Ms. WARREN, and Mr. WHITEHOUSE):

S. 3138. A bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children's Health Insurance Program; to the Committee on Finance.

By Mr. BOOKER (for himself and Mr. HAWLEY):

S. 3139. A bill to ensure that Federal contractors comply with child labor laws, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself, Mr. BENNETT, Mr. FETTERMAN, Ms. WARREN, Mr. BROWN, Mr. REED, Mr. BOOKER, and Mr. SANDERS):

S. 3140. A bill to modernize unemployment compensation benefits; to the Committee on Finance.

By Mrs. BRITT (for Mr. SCOTT of South Carolina (for himself, Mr. RICKETTS, Mrs. BRITT, Mr. HAWLEY, Mr. SCOTT of Florida, and Mr. BOOZMAN)):

S. 3141. A bill to provide for the consideration of a definition of antisemitism set forth by the International Holocaust Remembrance Alliance for the enforcement of Federal antidiscrimination laws concerning education programs or activities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. PADILLA, Mr. HICKENLOOPER, and Mr. MARSHALL):

S. 3142. A bill to amend the Fair Labor Standards Act of 1938 to expand the prohibition related to child labor, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. ROUNDS, and Mr. CRAMER):

S. 3143. A bill to establish postmarket reporting requirements for pharmaceuticals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself and Ms. ERNST):

S. 3144. A bill to protect survivors from brain injury by authorizing the Secretary of Health and Human Services to collect data on the prevalence of brain injuries resulting from domestic and sexual violence; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3145. A bill to amend the Public Health Service Act to authorize fellowships under the Minority Fellowship Program to be awarded for training for professionals in the addiction medicine field; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself and Mr. GRASSLEY):

S. 3146. A bill to amend the Agricultural Marketing Act of 1946 to establish a voluntary program to reduce food loss and waste, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. RICKETTS (for himself and Mrs. GILLIBRAND):

S. 3147. A bill to modify Department of Agriculture programs to improve flood protection and infrastructure resiliency, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEE:

S. 3148. A bill to prohibit the use of funds by the Secretary of the Interior to finalize and implement certain travel management plans in the State of Utah; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself, Mr. SCOTT of South Carolina, Mr. KAINE, and Mr. WICKER):

S. 3149. A bill to encourage the growth of research partnerships between historically Black colleges and universities and Federal agencies to advance development in sub-Saharan Africa; to the Committee on Foreign Relations.

By Mr. SCOTT of Florida (for himself and Mr. CRUZ):

S. 3150. A bill to prohibit representatives of the United States from voting at the International Monetary Fund for any Special Drawing Rights allocations, quota increases, or policy modifications that would benefit certain countries, and for other purposes; to the Committee on Foreign Relations.

By Ms. HIRONO:

S. 3151. A bill to direct the Administrator of the Small Business Administration to establish the Emergency Micro-enterprise Recovery Grant Pilot Program, and for other purposes; to the Committee on Finance.

By Ms. HIRONO (for herself, Mr. MARKEY, Mrs. GILLIBRAND, Mr. BOOKER, and Ms. WARREN):

S. 3152. A bill to amend the Elementary and Secondary Education Act of 1965 to require that annual State report cards reflect the same race groups as the decennial census of population; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 3153. A bill to amend the National Flood Insurance Act of 1968 to establish a pilot program to increase the allowable amounts of advance payments under the National Flood Insurance Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 3154. A bill to improve the effectiveness of tribal child support enforcement agencies, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. WARREN, Mr. MERKLEY, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 3155. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY:

S. 3156. A bill to establish the Financing Energy Efficient Manufacturing Program at the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself and Mr. DAINES):

S. 3157. A bill to amend title XVIII of the Social Security Act to expand eligibility for incentives under the Medicare health professional shortage area bonus program to practitioners furnishing mental health and substance use disorder services; to the Committee on Finance.

By Ms. STABENOW (for herself and Mr. DAINES):

S. 3158. A bill to require the Secretary of Health and Human Services to issue guidance to States on strategies under Medicaid and CHIP to increase mental health and substance use disorder care provider education, training, recruitment, and retention; to the Committee on Finance.

By Mr. CRUZ (for himself, Mr. RUBIO, Mr. BARRASSO, Mr. SCOTT of Florida, Mr. YOUNG, Mr. RICKETTS, and Mr. HAGERTY):

S. 3159. A bill to establish a Venezuela Restoration Fund, and for other purposes; to the Committee on Foreign Relations.

By Mr. VAN HOLLEN (for himself and Mr. ROUNDS):

S. 3160. A bill to establish a comprehensive United States Government initiative to build the capacity of young leaders and entrepreneurs in Africa, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. WELCH (for himself and Mr. SANDERS):

S. Res. 433. A resolution commemorating the 80th anniversary of the establishment of the Missisquoi National Wildlife Refuge; to the Committee on Environment and Public Works.

By Mr. RISCH (for himself, Mr. RICKETTS, Mr. CORNYN, Mr. SCOTT of Florida, Mr. GRASSLEY, Mr. CRAPO, Mrs. BLACKBURN, Mr. VANCE, Mr. RUBIO, and Mr. SCOTT of South Carolina):

S. Res. 434. A resolution commemorating the 200th anniversary of the Monroe Doctrine; to the Committee on Foreign Relations.

By Ms. ERNST (for herself, Ms. DUCKWORTH, Mr. CRAPO, Ms. ROSEN, Mr. TUBERVILLE, Ms. BALDWIN, Mr. DAINES, Mr. BOOKER, Mr. RISCH, Mr. BLUMENTHAL, Mr. WICKER, Ms. HIRONO, Mr. RUBIO, Mr. CASEY, Mr. HOEVEN, Ms. CORTEZ MASTO, Mrs. FISCHER, Ms. KLOBUCHAR, Mr. BUDD, Mr. REED, Mr. CRUZ, Mr. OSSOFF, Mr. HAGERTY, Mr. KELLY, Mrs. BLACKBURN, Ms. SMITH, Mr. RICKETTS, Mr. KAINE, Ms. COLLINS, Mr. KING, Mrs. HYDE-SMITH, Mrs. MURRAY, Mr. BARRASSO, Mr. HICKENLOOPER, Mr. KENNEDY, Mrs. SHAHEEN, Mr. TILLIS, Ms. HASSAN, Mr. MORAN, Mr. MANCHIN, Mrs. BRITT, Mr. LUJÁN, Mr. CASSIDY, Mr. COONS, Mr. HAWLEY, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. SCOTT of Florida, Mr. PETERS, Mr. YOUNG, Mr. CRAMER, Mr. SULLIVAN, Mr. CORNYN, Mr. MARSHALL, Mr. BOOZMAN, Mr. COTTON, Mr. GRAHAM, Ms. LUMMIS, and Mr. SCHMITT):

S. Res. 435. A resolution recognizing the week of October 30 through November 4, 2023, as "National Veterans Small Business Week"; considered and agreed to.

By Mr. WELCH (for himself and Mr. BRAUN):

S. Res. 436. A resolution expressing support for the designation of the week of October 24, 2023, to October 31, 2023, as "BatWeek"; considered and agreed to.

By Mrs. BLACKBURN (for herself, Ms. ROSEN, Mr. LANKFORD, and Mr. VAN HOLLEN):

S. Res. 437. A resolution condemning antisemitism at institutions of higher education in the United States and encouraging college and university leaders, administrators, and faculty to speak out against antisemitism; considered and agreed to.

By Mr. OSSOFF (for himself, Mr. RUBIO, Mr. WARNOCK, and Mr. SCOTT of Florida):

S. Res. 438. A resolution congratulating Coco Gauff for her inspiring victory at this year's US Open Tennis Championships; considered and agreed to.

By Ms. SMITH (for herself, Ms. COLLINS, Ms. WARREN, Mr. KAINE, and Mr. CASEY):

S. Res. 439. A resolution supporting after-school programs and Lights On Afterschool, a national celebration of afterschool programs held on October 26, 2023; considered and agreed to.

By Mr. CASSIDY (for himself, Mr. CRAMER, Mr. LEE, Mr. CORNYN, Mr. RISCH, Mr. RICKETTS, Mr. MARSHALL, Mr. BARRASSO, Mr. HOEVEN, Ms. LUMMIS, Mr. ROUNDS, Mr. BUDD, Mr. LANKFORD, Mr. CRUZ, and Mrs. HYDE-SMITH):

S. Con. Res. 23. A concurrent resolution expressing the sense of Congress that a carbon tax would be detrimental to the economy of the United States; to the Committee on Finance.

#### ADDITIONAL COSPONSORS

S. 1189

At the request of Mrs. CAPITO, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1189, a bill to establish a pilot grant program to improve recycling accessibility, and for other purposes.

S. 1800

At the request of Ms. MURKOWSKI, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1800, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Spectrum Disorders Prevention and Services program, and for other purposes.

S. 1829

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of 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.

S. 1909

At the request of Mr. HEINRICH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1909, a bill to amend title 18, United States Code, to prohibit the illegal modification of firearms, and for other purposes.

S. 1937

At the request of Mr. PAUL, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 1937, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services.

S. 2037

At the request of Mr. MENENDEZ, the names of the Senator from Delaware (Mr. COONS) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 2037, a bill to amend the Agriculture Improvement Act of 2018 to prohibit the slaughter of equines for human consumption.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multicancer early detection screening tests.

S. 2496

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 2496, a bill to amend the National Housing Act to include information re-

garding VA home loans in the Informed Consumer Choice Disclosure required to be provided to prospective FHA borrowers.

S. 2555

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2555, a bill to amend the Animal Welfare Act to expand and improve the enforcement capabilities of the Attorney General, and for other purposes.

S. 2777

At the request of Mrs. MURRAY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2777, a bill to increase child care options for working families and support child care providers.

S. 2829

At the request of Ms. STABENOW, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 2829, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 2926

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2926, a bill to prohibit the importation, sale, manufacture, transfer, or possession of .50 caliber rifles, and for other purposes.

S. 2931

At the request of Ms. BALDWIN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 2931, a bill to amend the Farm Security and Rural Investment Act of 2002 to modify the Rural Energy for America Program, and for other purposes.

S. 3099

At the request of Mr. HEINRICH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3099, a bill to require the Secretary of Energy to further develop and support the adoption of a voluntary streamlined permitting and inspection process for authorities having jurisdiction over the permitting of qualifying distributed energy systems, and for other purposes.

S. 3135

At the request of Mr. MARSHALL, the names of the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Wyoming (Ms. LUMMIS) and the Senator from Alabama (Mr. TUBERVILLE) were added as cosponsors of S. 3135, a bill making emergency supplemental appropriations for assistance for the situation in Israel for the fiscal year ending September 30, 2024, and for other purposes.

S. CON. RES. 18

At the request of Mr. CASEY, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from

Delaware (Mr. COONS) were added as cosponsors of S. Con. Res. 18, a concurrent resolution calling for the immediate release of Marc Fogel, a United States citizen and teacher, who was given an unjust and disproportionate criminal sentence by the Government of the Russian Federation in June 2022.

S. RES. 333

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 333, a resolution designating 2024 as the Year of Democracy as a time to reflect on the contributions of the system of Government of the United States to a more free and stable world.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. GRASSLEY):

S. 3146. A bill to amend the Agricultural Marketing Act of 1946 to establish a voluntary program to reduce food loss and waste, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN, Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3146

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Reduce Food Loss and Waste Act".

#### SEC. 2. FOOD LOSS AND WASTE CERTIFICATION PROGRAM.

Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

#### "SEC. 210B. FOOD LOSS AND WASTE CERTIFICATION PROGRAM.

"(a) DEFINITIONS.—In this section:

"(1) APPARENTLY WHOLESOME FOOD.—The term 'apparently wholesome food' has the meaning given the term in subsection (b) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)).

"(2) CERTIFIED PARTICIPANT.—The term 'certified participant' means an eligible participant that has been certified under subsection (d).

"(3) ELIGIBLE PARTICIPANT.—The term 'eligible participant' means—

"(A) a contractor that has entered into a contract with an executive agency, the Senate, or the House of Representatives for the provision, service, or sale of food in the United States;

"(B) a State, local, municipal, or Tribal government;

"(C) a corporation, partnership, organization, or association;

"(D) a farm or a food producer, manufacturer, processor, holder, or packer;

"(E) a retail grocer;

"(F) a restaurant or similar food service establishment;

"(G) an institution of higher education or a consortium of those institutions; or

"(H) a primary or secondary school or a consortium of those institutions.

"(4) EXCESS.—The term 'excess', with respect to food, means that the food would otherwise be discarded.

“(5) **FOOD.**—The term ‘food’ means food (as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321)) that is intended for human consumption.

“(6) **PROGRAM.**—The term ‘program’ means the Food Loss and Waste Reduction Certification Program established under subsection (b).

“(7) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Agriculture.

“(b) **ESTABLISHMENT.**—The Secretary shall establish a voluntary program, to be known as the ‘Food Loss and Waste Reduction Certification Program’—

“(1) to certify eligible participants in accordance with subsection (d); and

“(2) to promote certified participants in accordance with subsection (e).

“(c) **PURPOSES.**—The purposes of the program are—

“(1) to reduce food loss and waste;

“(2) to increase donations of excess, apparently wholesome food to nonprofit organizations that provide food assistance to individuals in need; and

“(3) to increase the use of alternative disposal methods for food, such as redirection to animal feed, anaerobic digestion, and composting.

“(d) **CERTIFICATION.**—

“(1) **CRITERIA.**—

“(A) **IN GENERAL.**—

“(i) **ESTABLISHMENT AND PUBLICATION.**—Not later than 18 months after the date of enactment of the Reduce Food Loss and Waste Act, the Secretary shall establish and publish in the Federal Register criteria for the certification of an eligible participant under the program.

“(ii) **INCLUSIONS.**—Criteria described in clause (i) shall include the submission to a third-party certifier accredited under paragraph (3) of documentation from 12 consecutive months on the quantity of food that the eligible participant—

“(I) has donated to nonprofit organizations that provide food assistance for individuals in need; or

“(II) has sent to be disposed of.

“(B) **STAKEHOLDER INPUT.**—The Secretary shall solicit comments from interested parties prior to the establishment or revision of the criteria described in subparagraph (A).

“(C) **REVISIONS.**—

“(i) **IN GENERAL.**—The Secretary shall revise the criteria described in subparagraph (A) on a periodic basis.

“(ii) **PUBLICATION.**—The Secretary shall publish in the Federal Register criteria revised under clause (i) not later than 270 days before the effective date of the revised criteria, including an explanation of the revisions.

“(2) **ACCREDITATION BODIES.**—

“(A) **IN GENERAL.**—Not later than 18 months after the date of enactment of the Reduce Food Loss and Waste Act, the Secretary shall establish a process to recognize accreditation bodies to accredit third-party certifiers under paragraph (3)(A).

“(B) **STANDARDS.**—The Secretary shall recognize an accreditation body under subparagraph (A) if the accreditation body meets such standards as the Secretary shall establish.

“(3) **THIRD-PARTY CERTIFIERS.**—

“(A) **IN GENERAL.**—Not later than 18 months after the date of enactment of the Reduce Food Loss and Waste Act, the Secretary shall establish a process for accreditation bodies recognized under paragraph (2) to accredit third-party certifiers to review and certify eligible participants under the program.

“(B) **STANDARDS.**—An accreditation body recognized under paragraph (2) shall accredit a third-party certifier under subparagraph

(A) if the third-party certifier meets such standards as the Secretary shall establish.

“(C) **PREFERENCE.**—In accrediting third-party certifiers under subparagraph (A), an accreditation body recognized under paragraph (2) shall give preference to institutions of higher education that have expertise in food loss and waste reduction.

“(D) **CERTIFICATION.**—A third-party certifier accredited under subparagraph (A) shall review and certify an eligible participant under the program if the eligible participant meets the criteria established under paragraph (1).

“(4) **PUBLICATION.**—The Secretary shall maintain on a publicly available website of the Department of Agriculture—

“(A) a list of accreditation bodies recognized under paragraph (2); and

“(B) a list of third-party certifiers accredited under paragraph (3).

“(e) **PROMOTION.**—

“(1) **IN GENERAL.**—The Secretary shall promote a certified participant under the program, including through—

“(A) voluntary labeling established under paragraph (2); and

“(B) such other communications as the Secretary determines to be appropriate relating to the products, buildings, practices, and policies of the certified participant, such as—

“(i) publication on the website of the Department of Agriculture of information relating to the certified participant; and

“(ii) holding events to promote the certified participant or otherwise relating to the program.

“(2) **VOLUNTARY LABELING.**—The Secretary shall establish 1 or more voluntary labels that indicate that a certified participant is certified under the program.

“(f) **INTERAGENCY COORDINATION.**—The Secretary shall carry out this section in coordination with the Commissioner of Food and Drugs and the Administrator of the Environmental Protection Agency, in accordance with the memorandum of understanding revised under section 3 of the Reduce Food Loss and Waste Act.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, including for the hiring of additional personnel, \$3,000,000 for each of fiscal years 2024 through 2028, to remain available until expended.”

### SEC. 3. MEMORANDUM OF UNDERSTANDING.

The Secretary of Agriculture, the Commissioner of Food and Drugs, and the Administrator of the Environmental Protection Agency shall revise, in accordance with section 210B of the Agricultural Marketing Act of 1946 (as added by section 2), the agreement signed on December 17, 2020, relating to cooperation and coordination on food loss and waste.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 3154. A bill to improve the effectiveness of tribal child support enforcement agencies, and for other purposes; to the Committee on Finance.

Mr. THUNE. Madam President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3154

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Tribal Child Support Enforcement Act”.

### SEC. 2. IMPROVING THE EFFECTIVENESS OF TRIBAL CHILD SUPPORT ENFORCEMENT AGENCIES.

(a) **IMPROVING THE COLLECTION OF PAST-DUE CHILD SUPPORT THROUGH STATE AND TRIBAL PARTNERSHIP IN THE ALLOWABLE USE OF TAX INFORMATION.**—

(1) **AMENDMENT TO THE SOCIAL SECURITY ACT.**—Section 464 of the Social Security Act (42 U.S.C. 664) is amended by adding at the end the following:

“(d) **APPLICABILITY TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS RECEIVING A GRANT UNDER THIS PART.**—This section, except for the requirement to distribute amounts in accordance with section 457, shall apply to an Indian tribe or tribal organization receiving a grant under section 455(f) in the same manner in which this section applies to a State with a plan approved under this part.”

(2) **AMENDMENTS TO THE INTERNAL REVENUE CODE.**—

(A) Section 6103(a)(2) of the Internal Revenue Code of 1986 is amended by striking “any local child support enforcement agency” and inserting “any tribal or local child support enforcement agency”.

(B) Section 6103(a)(3) of such Code is amended by inserting “(8)” after “(6)”.

(C) Section 6103(l) of such Code is amended—

(i) in paragraph (6)—

(I) by striking “or local” in subparagraph (A) and inserting “tribal, or local”;

(II) by striking “AND LOCAL” in the heading thereof and inserting “TRIBAL, AND LOCAL”;

(III) by striking “The following” in subparagraph (B) and inserting “The”;

(IV) by striking the colon and all that follows in subparagraph (B) and inserting a period; and

(V) by adding at the end the following:

“(D) **STATE, TRIBAL, OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCY.**—For purposes of this paragraph, the following shall be treated as a State, tribal, or local child support enforcement agency:

“(i) Any agency of a State or political subdivision thereof operating pursuant to a plan described in section 454 of the Social Security Act which has been approved by the Secretary of Health and Human Services under part D of title IV of such Act.

“(ii) Any child support enforcement agency of an Indian tribe or tribal organization receiving a grant under section 455(f) of the Social Security Act.”

(i) in paragraph (8)—

(I) in subparagraph (A), by striking “or State or local” and inserting “State, tribal, or local”;

(II) by adding the following at the end of subparagraph (B): “The information disclosed to any child support enforcement agency under subparagraph (A) with respect to any individual with respect to whom child support obligations are sought to be established or enforced may be disclosed by such agency to any agent of such agency which is under contract with such agency for purposes of, and to the extent necessary in, establishing and collecting child support obligations from, and locating, individuals owing such obligations.”

(III) by striking subparagraph (C) and inserting the following:

“(C) **STATE, TRIBAL, OR LOCAL CHILD SUPPORT ENFORCEMENT AGENCY.**—For purposes of this paragraph, the term ‘State, tribal, or local child support enforcement agency’ has the same meaning as when used in paragraph (6)(D).”

(IV) by striking “AND LOCAL” in the heading thereof and inserting “TRIBAL, AND LOCAL”;

(iii) in paragraph (10)(B), by adding at the end the following new clause:

“(iii) The information disclosed to any child support enforcement agency under subparagraph (A) with respect to any individual with respect to whom child support obligations are sought to be established or enforced may be disclosed by such agency to any agent of such agency which is under contract with such agency for purposes of, and to the extent necessary in, establishing and collecting child support obligations from, and locating, individuals owing such obligations.”.

(D) Section 6103(p) of such Code is amended—

(i) in paragraph (4), by striking “subsection (1)(10), (13)(A), (13)(B), (13)(C), (13)(D)(i), (16), (18), (19), or (20) or any entity” each place it appears in subparagraph (F) and in the matter preceding subparagraph (A) and inserting “subsection (1)(6), (8), (10), (13)(A), (13)(B), (13)(C), (13)(D)(i), (16), (18), (19), or (20), or any Indian tribe or tribal organization receiving a grant under section 455(f) of the Social Security Act, or any entity”, and

(ii) in paragraph (9), by striking “or local” and inserting “tribal, or local”.

(E) Subsection (c) of section 6402 of such Code is amended by adding at the end the following: “For purposes of this subsection, any reference to a State shall include a reference to any Indian tribe or tribal organization receiving a grant under section 455(f) of the Social Security Act.”.

(b) REIMBURSEMENT FOR REPORTS.—Section 453(g) of the Social Security Act (42 U.S.C. 653(g)) is amended—

(1) in the subsection heading, by striking “STATE”; and

(2) by striking “and State” and inserting “, State, and tribal”.

(c) TECHNICAL AMENDMENTS.—Paragraphs (7) and (33) of section 454 of the Social Security Act (42 U.S.C. 654) are each amended by striking “450b” and inserting “5304”.

By MR. REED (for himself, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Ms. BALDWIN, Ms. WARREN, Mr. MERKLEY, Mr. VAN HOLLEN, and Mr. SANDERS):

S. 3155. A bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes; to the Committee on Finance.

Mr. REED. Madam President, I am reintroducing the Stop Subsidizing Multimillion Dollar Corporate Bonuses Act with Senators BLUMENTHAL, WHITEHOUSE, MERKLEY, BALDWIN, WARREN, VAN HOLLEN, and SANDERS. This legislation would finally fully close a loophole that allows publicly traded corporations to deduct the cost of multimillion-dollar bonuses from their corporate tax bills. At a time when the gulf in pay between CEOs and average workers is 272 to 1, it is infuriating that U.S. taxpayers are being forced to subsidize lavish executive compensation packages, but that is what is happening.

Under section 162(m) of the Tax Code, publicly traded corporations cannot deduct more than \$1 million in compensation paid to their top executives. But section 162(m) does not cover compensation paid to all public company employees, and corporations have long exploited this loophole to claim tax deductions for executive compensation

packages that far exceed \$1 million. Indeed, publicly traded corporations are offering these lucrative compensation deals to ever increasing numbers of executives—not just a few at the very top of the organization.

Both Republican and Democratic administrations have recognized the need to close loopholes in section 162(m). Indeed, both President Trump and President Biden signed laws based on earlier versions of my legislation in order to curtail the abuse of this deduction. This includes ensuring that performance-based compensation is actually counted as compensation under section 162(m) and increasing the number of highly paid executives who are subject to section 162(m). Partially tightening the law in these ways has saved taxpayers well over \$9.2 billion. But the full loophole has still not been closed and taxpayers continue to subsidize billions of dollars in extravagant compensation.

The Stop Subsidizing Multimillion Dollar Corporate Bonuses Act would address the remaining gaps by applying section 162(m) restrictions to all employees of publicly traded corporations so that all compensation is subject to a deductibility cap of \$1 million per employee.

To be clear, under my bill, publicly traded corporations would still be able to pay their executives as much as they desire, but individual compensation packages above and beyond \$1 million would no longer be subsidized through our Tax Code. This is a matter of fairness. It ensures that corporations and shareholders—not hard-working taxpayers—are shouldering the cost of the multimillion-dollar compensation packages they provide to their top earners.

I thank Public Citizen, Americans for Financial Reform, the AFL-CIO, the International Brotherhood of Teamsters, MIT Professor Simon Johnson, Take On Wall Street, and the Institute for Policy Studies, Global Economy Project for their support. I urge our colleagues to join us in cosponsoring this legislation and pressing for its passage.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 433—COMMEMORATING THE 80TH ANNIVERSARY OF THE ESTABLISHMENT OF THE MISSISQUOI NATIONAL WILDLIFE REFUGE

Mr. WELCH (for himself and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 433

Whereas the Missisquoi National Wildlife Refuge (referred to in this preamble as the “Refuge”) was established in 1943 under the authority of the Migratory Bird Conservation Act (16 U.S.C. 715 et seq.) for the protection and management of migratory birds;

Whereas the Refuge is located on land sacred to the tribes of the Western Abenaki;

Whereas the Refuge encompasses 6,729 acres of protected land in Franklin County, Vermont;

Whereas more than half of this acreage is protected as an inviolate sanctuary, preserving pristine habitats for wildlife and native plant species to thrive;

Whereas the Refuge is part of the Atlantic Flyway system of National Wildlife Refuges connecting the northern breeding grounds and southern wintering areas of migratory birds;

Whereas the Refuge was designated as a RAMSAR Wetland of International Importance in 2013, 1 of just 41 national wildlife refuges in the United States so designated;

Whereas the Refuge is recognized as an Important Bird Area by the National Audubon Society;

Whereas habitats found in the Refuge include floodplain forests, wetlands, shrublands, bogs, grasslands, and upland areas;

Whereas the natural environment of the Refuge is essential to the ecosystems of Lake Champlain, supporting wildlife and preserving clean water resources;

Whereas these ecosystems mitigate climate change by sequestering carbon and strengthening the resilience of neighboring communities;

Whereas the 900-acre Maquam bog located in the Refuge is designated as a Research Natural Area and is the only pitch pine woodland bog in New England;

Whereas the Refuge is home to vital feeding, resting, and breeding habitats for birds, which have supported more than 200 bird species;

Whereas the Refuge is home to the largest concentration of waterfowl in the Champlain Valley and hosts more than 20,000 ducks during their fall migration, including wood ducks, mallards, green-winged teal, and ring-necked ducks;

Whereas the grassland habitats of the Refuge are home to bobolink, meadowlark, and savannah sparrows;

Whereas the wetland habitats of the Refuge are populated by reptiles, fish, and amphibians;

Whereas pollinators thrive in the shrublands and grasslands of the Refuge, including 13 species of bumblebees;

Whereas other species that call the Refuge home include raccoons, black bears, coyotes, skunks, beavers, red foxes, river otters, bobcats, porcupines, muskrats, and minks;

Whereas many of these animals are protected by the State of Vermont as threatened or endangered, such as the black tern and eastern sand darter;

Whereas more than 80,000 visitors travel to the Refuge annually to partake in hiking, birding, fishing, boating, and hunting;

Whereas visitors to the Refuge travel from all 50 states and multiple foreign countries to appreciate the beauty and biodiversity of the Refuge;

Whereas the Refuge provides a valuable educational and interpretive resource for visitors and neighboring communities;

Whereas the experience in nature while visiting the Refuge fosters a spiritual connection between people and the land they inhabit;

Whereas the Refuge and the natural environment of Vermont support a vibrant outdoor recreation industry that has contributed billions of dollars to the State's economy;

Whereas archaeologists have documented a cultural heritage in the Refuge dating back more than 5,000 years; and

Whereas the United States Fish and Wildlife Service and the Abenaki community



work in partnership to protect and maintain these cultural sites, preserving them for generations to come: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 80th anniversary of the establishment of the Missisquoi National Wildlife Refuge;

(2) recognizes the importance of this protected land to biodiversity and fragile ecosystems in Vermont and the world; and

(3) resolves to support the National Wildlife Refuge System, including the Missisquoi National Wildlife Refuge, by providing the necessary financial and staffing resources to carry out its mission of conserving wildlife, protecting habitats, and providing access to outdoor recreational opportunities.

#### SENATE RESOLUTION 434—COMMEMORATING THE 200TH ANNIVERSARY OF THE MONROE DOCTRINE

Mr. RISCH (for himself, Mr. RICKETTS, Mr. CORNYN, Mr. SCOTT of Florida, Mr. GRASSLEY, Mr. CRAPO, Mrs. BLACKBURN, Mr. VANCE, Mr. RUBIO, and Mr. SCOTT of South Carolina) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 434

Whereas, on December 2, 1823, President James Monroe articulated what became to be known as the “Monroe Doctrine” in his seventh annual message to Congress;

Whereas, in the Monroe Doctrine, President Monroe asserted “a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization” by foreign powers;

Whereas the Monroe Doctrine asserted a spirit of solidarity with the newly independent republics of Latin America and established the principle that autocratic influences and depredations by powers outside the region present dangers to the peace, safety, and independence of the free nations of the Western Hemisphere;

Whereas President Monroe established the defensive character of the Monroe Doctrine by asserting that, “It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defense.”;

Whereas President Monroe proclaimed the doctrine after the Russian Empire attempted to claim and colonize territories in present-day Alaska and the Pacific Northwest in 1821, and the seizure of the USS Pearl by the Russian sloop Apollon in 1822;

Whereas, according to the National Archives, the United States Government invoked the Monroe Doctrine in 1865 to exert diplomatic and military pressure in support of the Mexican President Benito Juárez, which enabled Juárez to lead a successful revolt against the Emperor Maximilian, who had been placed on the throne by the French Empire;

Whereas, according to the National Archives, President John F. Kennedy invoked the Monroe Doctrine when the Soviet Union built missile launch sites in Cuba in 1962, and as part of the successful actions of his administration to see the Soviet missiles withdrawn from the dismantled missile launch sites in Cuba;

Whereas, on September 17, 1987, the Senate adopted an amendment, by a bipartisan vote of 90 to 2, to S. 1174 (100th Congress), known as the “National Defense Authorization Act

for Fiscal Years 1988 and 1989”, affirming “the sense of the Senate that the policy of the United States toward Central America should be based on the principles of the Monroe Doctrine”;

Whereas the National Security Strategy dated October 2022 states that “no region impacts the United States more directly than the Western Hemisphere,” and acknowledges the threat of external interference or coercion in the Western Hemisphere from the People’s Republic of China, the Russian Federation, and the Islamic Republic of Iran;

Whereas the 2023 Posture Statement of the United States Southern Command acknowledges that external malign actors like the People’s Republic of China and the Russian Federation are aggressively exerting influence over neighboring countries in Latin America and the Caribbean and raises concerns about Iranian intelligence and security activities;

Whereas the 2023 Posture Statement of the United States Southern Command notes that the People’s Republic of China is encroaching upon sensitive critical infrastructure in the Western Hemisphere through investments, including in deep-water ports, cyber facilities, and space facilities which can have a potential dual use for malign commercial and military activities;

Whereas the 2023 Posture Statement of the United States Southern Command notes that the Russian Federation undertakes extensive disinformation campaigns in Latin America, bolsters authoritarian regimes like the Republic of Cuba, the Republic of Nicaragua, and the Bolivarian Republic of Venezuela, and pursues military engagement and gray zone operations in this region;

Whereas the posture statement for 2023 of the United States Northern Command asserts “Our competitors and potential adversaries, particularly the People’s Republic of China and Russia, continue to challenge the rules-based international order” and “seek to advance their interests and gain global advantages through political intimidation, economic coercion, cyber and information operations, asymmetric attacks on infrastructure, and the direct threat or actual employment of military force”;

Whereas the letter and spirit of the Monroe Doctrine continue to inspire the efforts of the people of the United States to—

(1) maintain robust domestic, economic, and defense capabilities; and

(2) partner with democratic nations of the Western Hemisphere on a basis of mutual respect and support for shared beneficial diplomatic, commercial, and security endeavors: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 200th anniversary of the promulgation of the Monroe Doctrine;

(2) reasserts the rights and interests of the United States, in accordance with the Monroe Doctrine, to oppose a foreign power extending malign influence that could endanger or undermine the democracies of the Western Hemisphere; and

(3) recognizes the principles of hemisphere freedom and independence, as enshrined in the Monroe Doctrine, as an enduring foundational cornerstone of the foreign policy of the United States.

#### SENATE RESOLUTION 435—RECOGNIZING THE WEEK OF OCTOBER 30 THROUGH NOVEMBER 4, 2023, AS “NATIONAL VETERANS SMALL BUSINESS WEEK”

Ms. ERNST (for herself, Ms. DUCKWORTH, Mr. CRAPO, Ms. ROSEN, Mr. TUBERVILLE, Ms. BALDWIN, Mr. DAINES,

Mr. BOOKER, Mr. RISCH, Mr. BLUMENTHAL, Mr. WICKER, Ms. HIRONO, Mr. RUBIO, Mr. CASEY, Mr. HOEVEN, Ms. CORTEZ MASTO, Mrs. FISCHER, Ms. KLOBUCHAR, Mr. BUDD, Mr. REED, Mr. CRUZ, Mr. OSSOFF, Mr. HAGERTY, Mr. KELLY, Mrs. BLACKBURN, Ms. SMITH, Mr. RICKETTS, Mr. Kaine, Ms. COLLINS, Mr. KING, Mrs. HYDE-SMITH, Mrs. MURRAY, Mr. BARRASSO, Mr. HICKENLOOPER, Mr. KENNEDY, Mrs. SHAHEEN, Mr. TILLIS, Ms. HASSAN, Mr. MORAN, Mr. MANCHIN, Mrs. BRITT, Mr. LUJÁN, Mr. CASSIDY, Mr. COONS, Mr. HAWLEY, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. SCOTT of Florida, Mr. PETERS, Mr. YOUNG, Mr. CRAMER, Mr. SULLIVAN, Mr. CORNYN, Mr. MARSHALL, Mr. BOOZMAN, Mr. COTTON, Mr. GRAHAM, Ms. LUMMIS, and Mr. SCHMITT) submitted the following resolution; which was considered and agreed to:

S. RES. 435

Whereas the Armed Forces of the United States train individuals with the skills, discipline, and leadership necessary to establish and operate a successful business;

Whereas there are over 1,700,000 veteran-owned small businesses in the United States, employing over 2,900,000 individuals;

Whereas veteran-owned small businesses make up nearly 5 percent of all businesses in the United States;

Whereas veteran-owned small businesses account for more than \$800,000,000,000 in total receipts every year;

Whereas there are over 160,000 women veteran-owned small businesses in the United States, employing over 119,000 individuals;

Whereas the Small Business Administration hosts events honoring National Veterans Small Business Week from October 30 through November 4, 2023;

Whereas the Committee on Small Business and Entrepreneurship of the Senate celebrates National Veterans Small Business Week during the week of October 30 through November 4, 2023; and

Whereas the week of October 30 through November 4, 2023, would be an appropriate time to celebrate National Veterans Small Business Week: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the week of October 30 through November 4, 2023, as “National Veterans Small Business Week”;

(2) supports the goals and ideals of National Veterans Small Business Week;

(3) recognizes the importance of creating policies that promote a business-friendly environment for small business owners that is free of unnecessary and burdensome regulations and red tape; and

(4) expresses appreciation for the continued service to the United States by the veterans of the United States through small business ownership and entrepreneurship.

#### SENATE RESOLUTION 436—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF OCTOBER 24, 2023, TO OCTOBER 31, 2023, AS “BATWEEK”

Mr. WELCH (for himself and Mr. BRAUN) submitted the following resolution; which was considered and agreed to:

S. RES. 436

Whereas bats are vital to the sustainability of natural ecosystems, national economies, and human health by controlling

damaging insect pests, pollinating plants that produce fruits and vegetables, dispersing seeds to ensure healthy functioning forests and fields, and saving farmers in the United States more than \$3,000,000,000 in pest control every year;

Whereas bats have captured the human imagination through backyard sightings, folklore, art, myths, and legends, making outreach and education about the importance of bats instrumental;

Whereas bats are present throughout the world, except in extremely cold regions, and are the second-largest order of mammals with over 1,400 species;

Whereas white-nose syndrome, a fungal disease that has killed millions of bats in North America, has now spread to 40 States and 12 species of hibernating bats;

Whereas the disease has caused significant declines in populations of the tricolored bat, the little brown bat, and the northern long-eared bat, which is listed as endangered by the United States Fish and Wildlife Service under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

Whereas the Department of the Interior, through the United States Fish and Wildlife Service, the United States Geological Survey, the National Park Service, and the Bureau of Land Management, is leading the international response to the disease in partnership with the United States Forest Service and more than 150 Federal and State agencies, Tribes, nongovernmental organizations, and universities;

Whereas the United States Geological Survey and the United States Fish and Wildlife Service co-lead the multinational, multi-agency North American Bat Monitoring Program, which, since 2015, has consolidated nearly 89,000,000 records from partners in 49 States, 9 Canadian Provinces, and 19 Tribal organizations, demonstrating the power of collaborative conservation science to monitor changes in North American bat populations;

Whereas the United States Geological Survey conducts scientific research on bats that helps resource managers and policymakers make informed decisions regarding the conservation of bats across North America; and

Whereas, in the past decade, the international partnership of States, Tribes, Federal agencies, non-governmental organizations, and other institutions has made extraordinary progress to understand white-nose syndrome, slow the spread of the disease, and develop treatments that hold promise for ending this epidemic: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses support for the designation of “BatWeek”;

(2) encourages the observance of BatWeek with appropriate events and activities;

(3) acknowledges the important role bats play as pollinators and pest control for agriculture; and

(4) intends to—

(A) continue working to conserve bat species and their habitat; and

(B) work to defeat the disease known as white-nose syndrome.

#### SENATE RESOLUTION 437—CON-DEMNING ANTISEMITISM AT INSTITUTIONS OF HIGHER EDUCATION IN THE UNITED STATES AND ENCOURAGING COLLEGE AND UNIVERSITY LEADERS, ADMINISTRATORS, AND FACULTY TO SPEAK OUT AGAINST ANTISEMITISM

Mrs. BLACKBURN (for herself, Ms. ROSEN, Mr. LANKFORD, and Mr. VAN

HOLLEN) submitted the following resolution; which was considered and agreed to:

S. RES. 437

Whereas, in the aftermath of the terrorist attack on Israel by Hamas on October 7, 2023, there has been a rise in incidents of antisemitism, including hate speech and intimidation, on college campuses and universities in the United States, creating an atmosphere of fear for Jewish students and faculty;

Whereas the International Holocaust Remembrance Alliance has developed a widely accepted working definition of antisemitism which can serve as a helpful tool for education administrators and faculty to identify antisemitism;

Whereas acts of hate, discrimination, and violence based on religion or ethnicity have no place at institutions that exist to further education and understanding between diverse student bodies; and

Whereas freedom of speech and expression are foundational principles of institutions of higher education in the United States, but when these principles are used to promote violence, hatred, or discrimination on the basis of religious beliefs, national origin, or ancestry, higher education leaders have the right and an obligation to respond: Now, therefore, be it

*Resolved*, That the Senate—

(1) strongly condemns any instances of antisemitism occurring at colleges and universities in the United States;

(2) encourages higher education leaders, including presidents, deans, and administrators, to publicly condemn speech that incites or celebrates violence against any people based on religious beliefs, national origin, or ancestry; and

(3) encourages institutions of higher education to engage with Jewish student organizations and ensure that Jewish students, faculty, and staff can pursue their academic and personal aspirations without fear.

#### SENATE RESOLUTION 438—CONGRATULATING COCO GAUFF FOR HER INSPIRING VICTORY AT THIS YEAR'S US OPEN TENNIS CHAMPIONSHIPS

Mr. OSSOFF (for himself, Mr. RUBIO, Mr. WARNOCK, and Mr. SCOTT of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 438

Whereas, on September 9, 2023, Coco Gauff won her first Grand Slam title at the US Open;

Whereas, on March 13, 2004, Coco Gauff was born in Atlanta, Georgia, and grew up in Delray Beach, Florida, where she still lives today;

Whereas, while still living in Atlanta, Coco Gauff began playing tennis at the age of 6;

Whereas, on June 9, 2018, Coco Gauff won the girls' singles title at Roland-Garros;

Whereas, on March 19, 2019, Coco Gauff made her Women's Tennis Association (referred to in this preamble as the “WTA”) Tour debut at the Miami Open;

Whereas, on July 1, 2019, Coco Gauff shocked the tennis world by defeating Venus Williams at The Championships, Wimbledon at the age of 15 years old;

Whereas, on October 13, 2019, Coco Gauff won her first WTA singles title at the Upper Austria Ladies Linz;

Whereas, on September 9, 2023, Coco Gauff's US Open victory made her the youngest American to win a Grand Slam since Serena Williams won the US Open in 1999;

Whereas, on September 11, 2023, Coco Gauff rose to number 3 in the WTA's world rankings;

Whereas, on September 11, 2023, Coco Gauff became the number 1 ranked doubles player in the world alongside her doubles partner, fellow American, Jessica Pegula;

Whereas Coco Gauff's talent led her to win her first US Open Tennis Championships women's singles title;

Whereas Coco Gauff has won 6 WTA Tour singles titles and 8 WTA Tour doubles titles; and

Whereas Coco Gauff is an inspiration to millions of young girls and boys across the country with her passion for the sport, faith and victories; Now, therefore, be it

*Resolved*, That the Senate congratulates Coco Gauff for her inspiring victory at this year's US Open Tennis Championships.

#### SENATE RESOLUTION 439—SUPPORTING AFTERSCHOOL PROGRAMS AND LIGHTS ON AFTERSCHOOL, A NATIONAL CELEBRATION OF AFTERSCHOOL PROGRAMS HELD ON OCTOBER 26, 2023

Ms. SMITH (for herself, Ms. COLLINS, Ms. WARREN, Mr. KAINE, and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 439

Whereas millions of children in the United States have parents who work outside the home;

Whereas high-quality programs that expand learning opportunities for children, such as afterschool, before-school, summer, and expanded learning opportunities, provide safe, challenging, engaging, and fun learning experiences, including experiences that encourage the study of science, technology, engineering, and math that help children and youth develop social, emotional, physical, cultural, and academic skills;

Whereas high-quality afterschool programs and high-quality expanded learning opportunities provide students with hands-on, engaging lessons that are aligned with the school day;

Whereas high-quality afterschool programs complement regular and expanded school days and support working families by ensuring that the children of those families are safe and productive during the hours parents are working;

Whereas high-quality afterschool programs engage families, schools, and diverse community partners in advancing the well-being of children and youth in the United States;

Whereas high-quality afterschool programs that partner with high-quality community-based organizations build stronger communities by integrating schools with the larger community; and

Whereas Lights On Afterschool, a national celebration of afterschool, before-school, summer, and expanded learning opportunities programs was held on October 26, 2023, to highlight the critical importance of those high-quality programs to children and the families and communities of those children: Now, therefore, be it

*Resolved*, That the Senate supports Lights On Afterschool, a national celebration of afterschool programs held on October 26, 2023.

SENATE CONCURRENT RESOLUTION 23—EXPRESSING THE SENSE OF CONGRESS THAT A CARBON TAX WOULD BE DETRIMENTAL TO THE ECONOMY OF THE UNITED STATES

Mr. CASSIDY (for himself, Mr. CRAMER, Mr. LEE, Mr. CORNYN, Mr. RISCH, Mr. RICKETTS, Mr. MARSHALL, Mr. BARRASSO, Mr. HOEVEN, Ms. LUMMIS, Mr. ROUNDS, Mr. BUDD, Mr. LANKFORD, Mr. CRUZ, and Mrs. HYDE-SMITH) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 23

Whereas a carbon tax is a regressive domestic Federal tax on carbon dioxide released in the United States;

Whereas a carbon tax will—

- (1) discourage manufacturing and energy production in the United States;
- (2) lead to more jobs and businesses moving overseas;
- (3) lead to less economic growth;
- (4) restrict the global competitiveness of the United States; and
- (5) primarily harm the working-class families of the United States;

Whereas the ingenuity of the United States in energy development practices has increased the availability of the energy resources of the United States and lowered the pollution associated with extracting and producing these energy resources;

Whereas the energy policy of the United States should encourage continued private sector innovation and development and not increase the existing tax burden on manufacturers;

Whereas the production of the energy resources of the United States projects geopolitical strength and increases the ability of the United States to maintain a competitive advantage in the global economy;

Whereas the loss of jobs and businesses to countries overseas—

- (1) serves to weaken the supply chain security of the United States; and
- (2) represents a threat to the economic security and economic and social development of the United States;

Whereas the only countries that stand to benefit as a result of the United States implementing a carbon tax are countries that ignore responsible development and lower prices of manufacturing by polluting without consequence;

Whereas the United States' most pressing strategic rival, China, stands to benefit the most from the United States choosing to undercut domestic industry through a carbon tax;

Whereas China, by far the world's largest polluter, accounts for approximately 30 percent of global carbon dioxide emissions and subsidizes its exports by not imposing or enforcing reasonable environmental or labor standards;

Whereas, even without a carbon tax, manufacturers in the United States are forced to compete with companies in China and elsewhere that face few limits on how much they pollute;

Whereas, without a carbon tax, the United States, domestic energy producers, and domestic manufacturers have reduced greenhouse gas emissions more than any other economy since 2005;

Whereas a carbon tax would undercut the ability of manufacturers in the United States to invest in further development and other efforts that would continue to voluntarily reduce pollution in their operations;

Whereas it is inconceivable that the United States Government would punish the work-

ers and manufacturers of the United States with a carbon tax despite the United States' standing as a global leader in relation to the environmental performance of its industry;

Whereas the loss of jobs and businesses to countries overseas serves to result in greater pollution;

Whereas more production in the United States is also a benefit to the environment by preventing the expansion of less efficient production in other countries like China;

Whereas anti-carbon tax, pro-growth solutions can reverse the trend of the people of the United States being left behind economically; and

Whereas the Congress and the President should focus on pro-growth solutions that encourage increased development of domestic resources: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that a carbon tax would be detrimental to the families and businesses of the United States while severely harming the economic and national security of the United States.*

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, October 26, 2023, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, October 26, 2023, at 9:30 a.m., to conduct a hearing.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, October 26, 2023, at 10 a.m., to conduct an executive business meeting.

#### SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, October 26, 2023, at 10 a.m., to conduct a hearing.

#### SUBCOMMITTEE ON CHEMICAL SAFETY, WASTE MANAGEMENT, ENVIRONMENTAL JUSTICE, AND REGULATORY OVERSIGHT

The Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, October 26, 2023, at 10 a.m., to conduct a hearing.

#### MEASURE PLACED ON THE CALENDAR—S. 3135

Mr. SCHUMER. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3135) making emergency supplemental appropriations for assistance for the situation in Israel for the fiscal year ending September 30, 2024, and for other purposes.

Mr. SCHUMER. In order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceeding.

The PRESIDING OFFICER. The objection having been heard, the bill will be placed on the calendar.

#### RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 435, S. Res. 436, S. Res. 437; S. Res. 438, and S. Res. 439.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

Mr. SCHUMER. Mr. President, I would just note that one of these resolutions condemns anti-Semitism, which we see on too many campuses these days.

#### ORDERS FOR MONDAY, OCTOBER 30, 2023

Mr. SCHUMER. Finally, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m. on Monday, October 30; 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 upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Maddox nomination; further, that the cloture motions filed during today's session ripen at 5:30 p.m. on Monday.

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

ADJOURNMENT UNTIL 3 P.M.,  
MONDAY, OCTOBER 30, 2023

Mr. SCHUMER. Mr. President, 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 3:15 p.m., adjourned until 3 p.m. on Monday, October 30, 2023.

NOMINATIONS

Executive nominations received by  
the Senate:

DEPARTMENT OF STATE

JOHN W. MCINTYRE, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF ESWATINI.

IN THE AIR FORCE

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

*To be major general*

BRIG. GEN. THOMAS P. SHERMAN

IN THE COAST GUARD

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

*To be captain*

LORI A. ARCHER  
ERNEST N. BROWN  
DAVID J. CRIPE  
JAMES W. FITZGERALD  
BENJAMIN J. LEHRFELD  
JENNIFER T. LOTH  
JAMES V. LOVENSTEIN  
FRANK A. PUZZINI  
LINEKA N. QUIJANO  
GREGORY S. ROGERS  
SHARON E. RUSSELL