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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, our rock and fortress, You put the mountains in place and bring silence to roaring waves. We celebrate and sing because You are always with us. You are a strong tower where we find safety. Strengthen our faith and forgive us when we doubt Your power and providence. Thank You for this great land and for the many freedoms we sometimes take for granted.

Lord, we appreciate Your faithfulness and Your mercies that are new each day. Today, lead our lawmakers so that Your Name will be honored.

And, Lord, bless Senator MCCONNELL with a speedy recovery.

We pray in Your marvelous 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.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### MEASURE PLACED ON THE CALENDAR—S. 701

Mr. SCHUMER. Madam President, first, a little housekeeping, and then I will give my remarks.

I understand that there is a bill at the desk that is due for a second reading.

The PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 701) to protect a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services.

Mr. SCHUMER. In order to place the bill on the calendar, under the provisions of rule XIV, I would object to further proceeding.

The PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

### MITCH MCCONNELL

Mr. SCHUMER. Madam President, first, my thoughts this morning are with my good friend Leader MITCH MCCONNELL, who is recovering in the hospital after an accident last night.

This morning, I offer a prayer of strength and healing for the leader and his family. I called the leader this morning and spoke briefly with his staff to extend my prayers and well wishes. My thoughts are also with Leader MCCONNELL's family and his team.

I join every single one of my colleagues in wishing Leader MCCONNELL a speedy and full recovery.

### BUDGET

Mr. SCHUMER. Madam President, on the President's budget, today, as we all know, President Biden will release his budget for fiscal year 2024.

As promised, the President's budget is set to be a bold, optimistic, and seri-

ous proposal for strengthening our economy and creating opportunities to climb into the middle class as well as helping people stay there once they get in the middle class.

The President's budget succeeds where Republicans have failed by presenting a realistic blueprint for lowering the deficit without cutting benefits tens of millions of Americans rely upon. Unlike the Republicans, the President's plan actually protects Social Security, Medicare, and Medicaid while building on Democrats' work to lower prescription drug costs and save taxpayer dollars.

Again, Republicans love to talk about deficit cuts and saving tax dollars, but Democrats are the ones actually getting it done.

The President's budget prioritizes a strong defense. It offers robust support for Ukraine, which, after last night's brutal missile barrage, remains as urgent as ever.

Unlike Republicans, the President's plan invests in America instead of starving it. The President's budget invests in advanced manufacturing and high-tech jobs and scientific research, job training, education, and apprenticeships.

The President's budget asks the wealthiest Americans to pay just a little more of their fair share in taxes so that programs like Medicare remain solvent for decades. Just about all Americans think this is just plain fair because there is no justification for the ultrawealthy to have a lower tax burden on a percentage basis than teachers and nurses and cabdrivers and firefighters.

I want to thank President Biden for laying down an optimistic, forward-thinking vision for our country. This is what Americans want. They want real stuff. They want positive thinking about the future, help for those in the middle class to stay there, and for those struggling to get to the middle class, to make it a little easier to get there.

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



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But I really want to thank my Republican colleagues who have done a great job in highlighting all of the ways they want to cut health programs and give the ultrarich yet another pay-day. I am impressed at how effectively Republicans are making the argument on Democrats' behalf because, while Democrats want to help average Americans, a group of House Republicans is working right now with former Trump Budget Director Russell Vought to carry out a budget outline with drastic cuts that would harm tens of millions of people. Vought is a hard-right guy. He hates government even when it helps people.

According to the New York Times, Republicans in the House are considering proposals that would cut hundreds of billions from everything from the FBI to things like Pell grant eligibility and even Medicaid.

I recently saw—catch this, Madam President. I recently saw one House Republican frame spending cuts as a matter of courage. That is what one House Republican said. Well, there is nothing courageous about taking SNAP benefits away from hungry kids. There is nothing courageous about cutting national security or constricting Pell grant eligibility. There is nothing courageous about cutting housing and funding for police and firefighters while doing nothing—nothing—to get wealthy Americans to pay their fair share. How dare Republicans say it is courageous to make those cuts.

Finally, the ball is now in Speaker MCCARTHY's court. Today is March 9, and there is still one big question all of us are asking: Speaker MCCARTHY, where is your plan?

The debt ceiling must be raised soon. House Republicans say they won't do it without painful cuts to our country, which Democrats fiercely reject, but to this day, Americans have no idea where Republicans truly stand on Federal spending cuts, whether it is dealing with the debt ceiling or proposing a budget itself. All we have are various proposals like Mr. Vought's, which, if passed, would wreck our country and do huge damage to working families.

Speaker MCCARTHY, again, where is your plan? Where is your plan in regard to the debt ceiling? Where is your plan in regard to the budget?

The President has done his job by showing where Democrats stand. Speaker MCCARTHY needs to come clean with the American people and spell out precisely what cuts he plans and explain how these cuts will put the pain on average families.

#### FOX NEWS

Mr. SCHUMER. Now, Madam President, in terms of FOX News, most Members of this Chamber were present the day the insurrectionists attacked the Capitol on January 6. We saw it with our own eyes. I was within 20, 30 feet of these hooligans. One of them allegedly screamed out "Let's get him,"

pointing at me. Thousands of Trump supporters broke through police barricades, assaulted officers, and smashed through windows to enter the building. Our offices were ransacked. Staffers hid behind closed doors and beneath conference tables, trembling in fear for their safety.

My point is this: Those of us who were here on January 6 know the attack was a violent insurrection, including Speaker MCCARTHY. The Speaker has now had multiple chances to denounce FOX News for lying to the American people about January 6, but instead of speaking out against FOX's lies, the Speaker is sticking his head in the sand, saying he hasn't watched Tucker Carlson's broadcast.

MCCARTHY gives Carlson the tapes. He knows how inflammatory and dishonest Tucker Carlson is. He knows how dangerous this is. And he doesn't even take the time to watch the segment? That is unacceptable. It is outrageous. For Speaker MCCARTHY not even to watch the spoiled fruits of his labor shows a callousness and unconcern far beneath the dignity of the Speaker's office.

Senators, thankfully, from both sides of the aisle have called out FOX News for lying. Leader MCCONNELL has acknowledged FOX News's lying. The Capitol Police chief, in sticking up for his own officers, has called out FOX News for lying. Every leader on Capitol Hill has done the right thing by calling out FOX News's lies except for Speaker MCCARTHY.

By remaining silent, Speaker MCCARTHY is empowering Tucker Carlson's lies. The Speaker is outing himself as a January 6 denier, in complete accord and in line with Tucker Carlson. It is a shame.

#### RAIL SAFETY

Mr. SCHUMER. Madam President, on the railroads, this morning, Norfolk Southern's CEO, Alan Shaw, will testify before the Environment and Public Works Committee, where he will be held to account for his company's pattern of negligence when it comes to safety regulations.

My questions to Mr. Shaw remain the same: Why did Norfolk Southern spend years lobbying for looser regulations to prevent accidents like this, particularly when Donald Trump was President? Despite seeing a record \$3.3 billion in profits last year, why did Norfolk Southern prioritize billions in stock buybacks instead of investing in safety equipment or in their workers? What is Norfolk Southern doing to prevent future accidents like the one in East Palestine? And God forbid another one happens, how will Norfolk Southern ensure communities get the resources they need to respond to them?

I expect Mr. Shaw to answer these questions. The American people expect Mr. Shaw to answer these questions. And we expect a candid, frank, and honest discussion about the dangers of

rail companies like Norfolk Southern maximizing profits at the expense of everything else, even people's safety.

#### NOMINATIONS

Mr. SCHUMER. Madam President, finally, on the nominations front, today will be a busy day on the Senate floor.

Later this morning, we will confirm Daniel Werfel to serve as Commissioner for the IRS. Mr. Werfel's confirmation will bring important benefits to the American people because when the IRS is better staffed, more Americans can benefit from the tax credits—significant tax credits—we approved last year through legislation like CHIPS and Science and the IRA and other legislation as well.

First, Republicans wanted to cut IRS agents, which hurts the American people because they have to wait longer in line to get help with filing their taxes, and it lets the rich get away without paying their fair share of taxes.

No ultrawealthy American should ever pay less on a percentage basis than a nurse or a cabdriver. This nomination, plus the addition of IRS agents in the bill, will make it far more likely the wealthy will pay their fair share. As we know, under Donald Trump, auditing the ultrawealthy went way down, while people on the EITC, the earned income tax credit, who were making about \$40,000 a year, were being audited over and over again.

It also makes it more likely that when Americans need help, they won't have to wait hours or days or weeks to get in touch with an IRS agent.

We will also confirm today two more exceptional judges: James Edward Simmons, Jr., to serve as district judge for the Southern District of California, and Maria Kahn to serve on the Second Circuit Court of Appeals. Both Mr. Simmons and Ms. Kahn are remarkable legal minds, with impressive résumés. Their confirmations will strengthen our Federal courts and help restore Americans' trust in an independent and impartial judiciary.

I look forward to getting these three nominees confirmed, and I thank my colleagues from both sides of the aisle for their bipartisan support.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Daniel I.

Werfel, of the District of Columbia, to be Commissioner of Internal Revenue for the term expiring November 12, 2027.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

TRIBUTE TO JAMES L. BUCKLEY

Mr. SULLIVAN. Madam President, I am honored, so honored, to say a few words this morning about Judge James Buckley—a statesman; a patriot; a member of the World War II Greatest Generation; a senior Reagan State Department official; a DC Court of Appeals judge; a former Member of this body, the U.S. Senate; a friend; and a shining example of a good, meaningful life lived in full.

It is not very often that you get to say happy birthday to your hundred-year-old mentor on the Senate floor, but today, I get to do that to one of my mentors.

Judge Buckley has been a mentor and role model to me and so many other people who worked for him or worked with him over the past century.

So, Judge, I hope you are watching. I hope some of your family members are watching. I want to wish you a happy hundredth birthday from the U.S. Senate. We have this wonderful card here signed by dozens of U.S. Senators—Republicans, Democrats, Independents—here on the Senate floor on your hundredth birthday, right now. We are going to deliver this to you soon.

For those watching, who is this remarkable American statesman? There is a wonderful Wall Street Journal op-ed in this morning's Journal entitled "Jim Buckley's Century of Service." I encourage all of my Senate colleagues to read it.

He was from a very large and famous Connecticut family with many prominent brothers and sisters—10 of them. It is quite large. His younger brother was the conservative intellectual William F. Buckley.

James Buckley—Judge Buckley, as I like to call him—served his country in so many ways: as I noted, first, heroically, as a World War II Naval officer. He served in many battles, including the Battle of Okinawa, which was the bloodiest battle in U.S. Navy history.

He served as a U.S. Senator from New York and Under Secretary of State in the Reagan administration, a judge on the Federal court of appeals for the DC Circuit right down the road, commonly referred to as "the second-most important court in the land."

Think about that. That is service at the highest levels of three different branches of government—the only living American to do that and the oldest Member of the U.S. Senate, former Member.

In every position, Judge Buckley, throughout his life, brought integrity, a fierce intellect, and a compelling commitment to American exceptionalism.

I have known Judge Buckley for 30 years. He is a man of faith, class, dig-

nity, and humility. He has never stopped serving his country. Even into his late nineties, he was still at work writing a very well-received book on public policy just a few years ago called "Saving Congress from Itself."

A few years back, I suggested that he present his book to us at one of our Republican lunches. In so doing, I explained to the judge the way in which we have lunches here in the Senate. Three times a week, we get together. There is the Tuesday policy lunch; there is the Wednesday—what we call—Steering Committee lunch; and then there is the Thursday lunch, more informal, hosted by members of our conference who can brag a little bit about their State and feed us great food from their State. So I suggested to the judge, come by the Wednesday Steering Committee lunch and share with us your new book. And I noted, you know, you may know, Judge, that the Steering Committee was initially set up a long time ago by a group of more conservative Senators but is now pretty much attended by all Republican Senators for lunch. Was he familiar with the Steering Committee, I asked the judge.

In typical, James Buckley humble fashion, he said quietly: Why, DAN, yes, I believe I was one of the cofounders of the Steering Committee.

Of course, you were, Judge. Of course, you were.

Anyway, we all had a great, very memorable lunch here in the Senate with Jim Buckley, where just in an hour, so many of my colleagues learned so much from him, which is what he has been doing his whole life.

I got to know Judge Buckley when I caught a lucky break 30 years ago and was hired by him as his fourth law clerk—kind of a law clerk intern—when he was a DC Circuit Court of Appeals judge right down the road and I was in my final year at Georgetown Law School. This was an incredible experience for me.

As most know, and I already mentioned, the DC Circuit is considered the second most important court in the country and, of course, is known as a feeder court into the U.S. Supreme Court for law clerks, but particularly for judges. Just look at all the former DC Circuit judges who went on to be Supreme Court Justices: Burger, Scalia, Ginsburg, Thomas, Roberts, Kavanaugh, and Jackson.

As a Georgetown law student, this internship was a very exciting opportunity for me, and I saw up close in Judge Buckley an example of principled jurisprudence that was anchored in the text of Federal statutes and the Constitution that recognized and emphasized the limits on Federal judiciary and agency powers and that understood the importance of federalism and the separation of powers in our constitutional system of ordered liberty.

These were lifelong lessons for me, and I continue to use them daily right here in the U.S. Senate.

I enjoyed this job so much and was learning so much that I pretty much quit going to many of my law school classes.

For the young people watching, especially law students, don't do that. That was a dumb idea. My very low grade in my evidence class was evidence of this.

Judge Buckley, back then, tolerated me in his chambers 30 years ago, but he really developed a special bond with my then-girlfriend, Julie, who is now my wife of over 28 years.

Julie and the judge had a small-world connection concerning the great State of Alaska that was quite remarkable.

In 1971, there was a very important bill being debated right here in the U.S. Senate called the Alaska Native Claims Settlement Act, what we call ANCSA. That bill became the world's largest land settlement for indigenous people ever, anywhere in the world. Right here in America, 44 million acres of Federal land went to the Native people of Alaska. And Jim Buckley, then a first-term U.S. Senator in his first year, became a big supporter of Native rights in Alaska. It was curious, interesting. What was going on there?

He was a conservative Republican and believed in property rights, and ownership, and free enterprise, and fee simple lands for the Native people, which was what ANCSA was all about—much different than the lower 48, where the system of reservations and land held in trust by the Federal Government does not work well.

There was something else going on there, the Alaska Native leaders went to Washington in force to lobby different Senators. Senator Buckley was lobbied by a beautiful 36-year-old brilliant Alaska Native leader named Mary Jane Fate, who just so happened to be my wife's—then my girlfriend's—mom. So the judge and my girlfriend, Julie, figured that out, put two and two together, that her mom was one of the big reasons in terms of lobbying that he got interested in the ANCSA legislation and was a strong supporter of that.

Of course, that cemented their relationship and our relationship, and Julie and I and the judge have been great friends ever since. I do want to thank him, again, on behalf of the people of Alaska for being such a strong supporter of that legislation, which literally changed the history trajectory of our State for the better 51 years ago.

A few years ago, I was asked by the outstanding organization, The Fund for American Studies, to give an address about honorable leadership—honorable leadership—and I made my entire speech about the life and example of James Buckley.

Honorable leadership and upholding the highest values of ethical service, which is what the life of Judge Buckley epitomizes, is not always easy.

For example, as a U.S. Senator, Judge Buckley was one of the first Members of the Senate Republican caucus to call on President Nixon to resign

in the wake of the Watergate scandal. That certainly was not easy.

He was also an early Republican leader on issues of environmental stewardship and responsible, commonsense conservationism in the spirit of Republican President Teddy Roosevelt that has the support from local communities.

He cosponsored legislation that created the Gateway National Recreation Area, which stretches along the northeast Atlantic coast from New York to New Jersey and is home to one of the most significant bird sanctuaries in the northeast part of the United States.

As an avid birder himself, I am sure that this is one of the many proud aspects of the judge's important legacy to New York and to the rest of the country.

I think without a doubt, the most important legacy Jim Buckley has left all of us in the past 100 years has been his commitment to freedom and American liberty in both words and deeds.

He fought for American freedom in the Pacific in World War II. Like so many from his "greatest generation," he literally saved the world from tyranny.

He spoke eloquently of American freedom throughout his life. In another one of his books, titled "If Men Were Angels," he wrote the following:

I believe that in the last analysis the most important thing in social and political life is freedom, and I believe that it is because of the safeguards written into the Constitution, and the character of the American people, that we have enjoyed it in so great a measure.

More than any other country.

Mr. President, this great American patriot has left his mark on the American soul and American history and American heritage at the highest levels of our Federal Government, in all three branches of service.

Thank you for your exceptional service to our great Nation, Judge Buckley. All of the U.S. Senate and all of America wish you a happy and healthy 100th birthday.

I yield the floor.

The PRESIDING OFFICER (Mr. Lujan). The majority whip.

#### WOMEN'S HEALTH PROTECTION ACT

Mr. DURBIN. Mr. President, yesterday, I joined Leader SCHUMER, Senators BALDWIN, BLUMENTHAL, and MURRAY and a number of my colleagues in introducing a piece of legislation that is urgently needed. It is entitled the Women's Health Protection Act of 2023.

This bill would protect the right to obtain and provide reproductive healthcare—as basic as anything in America—as well as the freedom of Americans to seek this care free of medically unnecessary restrictions or limitations as to where a patient can receive it.

It has been about 9 months since the Thomas-Alito Court ripped away this fundamental right in America and put a target on the backs of women and healthcare providers across the coun-

try. Since then, we have heard one horror story after another—stories of rape victims as young as 10 years old who have been forced to travel across State lines to receive critical healthcare, stories of women who were suffering miscarriages but still have been denied care by doctors in red States where the doctors are afraid of being charged with a crime, stories of women who have been abandoned by their State's leaders, many of whom have found refuge in the State of Illinois.

Despite these stories of girls and women who have been denied critical healthcare because of partisan politics, Republicans are continuing to push dangerous abortion bans and restrictions. These politicians think they know better than the women who are affected by these decisions and their doctors.

Beware of the moment when legislators start playing doctor. They are doing it all across America on this issue. They are wrong.

We need to respect the freedom and right of women and the expertise of their medical professionals, period, and we need to recognize that politicians have no business in the hospital room or in the doctor's office. There should be a matter of privacy and respect that should be guiding our policy.

If we want to defend freedom and fundamental rights in America, we need to pass the Women's Health Protection Act.

The debate has even gone so far as to affect the corner drugstore.

This week, I was on the phone with the CEO of Walgreens, an Illinois-based company, one of the largest pharmacy companies in the United States of America. They are torn currently by an announcement of policy earlier this week which generated a lot of controversy: whether or not they will dispense medications which are used to end a pregnancy.

I begged them to at least wait until this issue has become clearer in the courts before taking a corporate position. The other major pharmacy chains are making the same decision themselves. We will find out what they conclude.

But it is an indication that this debate has gone far beyond the floor of the U.S. Senate in Washington—it is on your street corner; it is in your mall; it is in the shopping center that you have been going to all your life—as to whether or not you can have access to a drug that was judged safe and effective 20 years ago by the Federal Government.

That is what happens when legislators decide to be doctors.

#### CHILD LABOR

Mr. President, on another topic, when you stop by the grocery store to pick up your favorite box of cereal or some chicken breasts for dinner, would you ever guess you were buying a product that had been produced by exploited children? Not in America. Not in 2023. Sorry, I am afraid it is so.

Last week, the New York Times ran an extremely important article about an investigation on what it deemed the "new economy of exploitation." That economy is powered by young migrant children who arrived in this country without their parents and are working at unthinkably dangerous jobs in the American economy.

But the exploitation is not limited to migrant children. In factories across the country, from North Carolina to South Dakota, children as young as 12 years of age—that is right, 12 years of age—are working in the dead of night, in some of the most grueling environments imaginable: freezing cold slaughterhouses and auto part assembly plants—12 years old. These children work as long as 12 hours per shift, and, for migrant children, many are under pressure to send money back home or to pay back the criminals who smuggled them across the border.

Often, these children go to school in the morning because they are trying to learn to speak English and get an education. How can you learn when you are running on no sleep?

Mr. President, I have some personal familiarity with some of these working conditions. When I was a college student, I worked two or three summers to pay my way through college. One of the jobs was on the railroad, a tradition in my family. Fortunately for me, I only have a minor scar to show for my time in the switchyard, but many others were not so lucky.

The other job I had while I worked my way through college was in a meatpacking facility. I spent four summers there. I saw almost every aspect of that type of environment. I cannot imagine a 12-year-old in that dangerous environment. So when I hear young children are working long hours in meatpacking plants and slaughterhouses, it is beyond horrifying. It is beyond unconscionable, and it has to end.

These accounts of children working in slaughterhouses and factories are not only shocking; they are blatantly unlawful in America. Our Nation outlawed oppressive child labor almost 100 years ago. This is a problem that should be relegated to history books or novels by Dickens, but it is not.

In fact, since 2018, there has been a nearly 70-percent increase in illegally employed children. When the number of children being forced to work dangerous and potentially deadly jobs is on the rise, it is clear that our child labor laws are not up to speed.

Let me add the obvious. This is another condemnation of the failure of our immigration policy in America. Consider the fact that people desperately need workers—desperately. In every corner of my State of Illinois, they tell me one after the other: We need more police. We need more firefighters. We need more ambulance drivers. We need more healthcare workers. We need more workers in our nursing home—and on and on and on.

And why are we facing these shortages? We are facing them because, for 4

years under President Trump, we stopped allowing legal migration into the United States, as we had in previous years, so fewer and fewer of these immigrant workers who are available to take on jobs that Americans are not waiting in line to fill.

Behind the swinging doors of most of the restaurants and at some of the hotels in the city of Chicago were undocumented workers filling jobs which no one on the other side of that door would be interested in. So when we don't have a legal system to allow migration to come to this country and to fill the jobs, this is what happens.

Yesterday, I had a meeting with the Illinois Farm Bureau. I meet with them every year. There were about a dozen farmers from all across my State. I know politically who they are. They are great people. They are not necessarily of my political party or my political faith. But they all said the same thing: Senator, we need workers on our farms. Dairy farms, livestock operations, orchards—farms that need workers every single day, and they don't have them.

They said: Don't tell us that we ought to go into town and get the kids in high school to be our next generation of workers. They are just not interested, and they are not filling the jobs.

And if we don't fill these jobs, these conservative, politically, farmers are going to find their farming operations paying a heavy price for it.

Why in the world can't we acknowledge the obvious? The obvious is that, if we have an orderly process to screen people to come work into the United States from various countries, we can stop seeing the onslaught of thousands coming to our border. We have already seen this happening in specific instances through the Department of Homeland Security. We ought to be enhancing it and increasing it.

I joined Senator SCHATZ last week when it came to this issue of child exploitation. He introduced a bill that would significantly expand and strengthen penalties for companies violating child labor laws.

Let the word go out as clearly as it can from the floor of the U.S. Senate: If you have a business and you are exploiting children, you are in trouble. You are breaking the law, and you are going to pay a price for it. It is just not acceptable. So don't use the excuse that you didn't know. Find out.

It would also apply these penalties to independent contractors. That is really important because some employers have managed to exploit children by hiring them through staffing agencies in an effort to avoid fines. Our bill would end this despicable practice.

When a company hires little kids to work on a fast-paced assembly line, where these kids can be injured and even have their lives endangered, or when a company hires children to debone chickens or inhale toxic chemicals in an auto factory, a small fine

and a slap on the wrist just won't do. We need to impose serious penalties on these companies so they will never hire exploited children ever again. That is what this bill wants to do.

Importantly, the investigation from the New York Times illustrates that the humanitarian crisis in this country is rooted in the failure of this broken immigration system. From migrant children to farm workers, to families living under the threat of deportation, there are millions of people living in the shadows in this country and being exploited right under our noses.

For those who entered the United States and are allowed to legally stay until their hearing date, there is a loophole in the law which makes life for them, in a legal way, almost impossible. Many of these people, though legally in the United States waiting for their asylum hearing, cannot legally work in the United States, depending on their circumstances, for 6 months to a year. What are they supposed to do? They want to work. There are jobs that need to be filled. We should find a way to do this in an orderly fashion.

The Times reporting made it clear that unaccompanied migrant children are extremely vulnerable to exploitation. That just stands to reason. Our Federal Agencies have to do more to protect them.

Finally, I want to acknowledge a broader truth about the State of our economy. It is no secret that employers throughout the country are struggling to find workers in Illinois, New Mexico—everywhere. There are 11 million job openings in America and not nearly enough workers to fill them.

It is disturbing that some Republican State lawmakers have suggested loosening the child labor laws to fill these openings. To them, I suggest they read that New York Times piece and imagine if it was your child or grandchild. Do we want kids skipping school to sit in a factory for 12 hours sewing socks or shivering in an industrial freezer? Is that any way to care for kids, whoever they may be, or to prepare the next generation of leaders in our country—the doctors, the educators, the citizens? Of course not.

The fact is, the quickest and most sensible way to address the labor shortage in our country is to fix the broken immigration system. Let's stop dancing around it. Let's face the music. We need to give undocumented immigrants living in the shadows a chance to be legal, and we should increase the number of working-age immigrants in this country by establishing new, thoughtful pathways for workers to legally enter America. We should pair this effort with new funding to bring order to the border. That is a priority. I share it with our Republican colleagues who talk about that almost exclusively.

The fact that American companies are turning to children to address our Nation's labor shortage is a national disgrace. We bear responsibility right here in the U.S. Senate. We were elect-

ed to solve problems just like this. How many years have we been sitting back and saying the immigration system is broken; we have to change the laws? I will tell you: More than 30 years.

Employers are counting on us to fix the immigration laws from both parties so workers can enter the markets in a legal and safe way. Unless Congress finally comes together to reform immigration in a bipartisan manner, these human rights abuses and embarrassment to our Nation will continue. What are we waiting for? Let's get it done.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. THUNE. Mr. President, before I begin, I just want to say that along with all of my colleagues, my thoughts and prayers are with Leader McCONNELL this morning, with his family, with his team.

Along with our colleagues, I look forward to his speedy return to the U.S. Senate.

#### GOVERNMENT FUNDING

Mr. President, later today, the President of the United States will release his budget. We haven't seen the details of it yet so I am not prepared. I will have more to say about that next week when I have an opportunity to drill down.

But I think what we do know about it—and I can predict this because it is pretty easy to predict that the President's budget will include a lot more spending, a lot more taxing and that after the last 2 years here where, through a budget reconciliation process, the President and the Democrats here in Congress passed almost another \$3 trillion in spending and taxing and debt outside of the normal appropriations process at a time when revenue—last year's revenue—was at a 20-year high. In fact, the revenue coming to the Federal Government in the last fiscal year, as a percentage of our entire economy, was higher than it has been with three exceptions in history. One was in the late nineties at the end of the dot-com bubble and two times in World War II.

It is a record level of revenue as a percentage of GDP, and yet the President in his budget is going to propose a whole lot more spending and a whole lot more taxing and a whole lot more government—expanding, growing government.

That is what we expect his budget to do, and like I said, I will have more to say about that next week.

(The remarks of Mr. THUNE pertaining to the introduction of S. 734 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### UNANIMOUS CONSENT AGREEMENT

Mr. THUNE. Mr. President, I ask unanimous consent that the following Senators be permitted to speak prior to the scheduled rollcall vote: Senator LEE for up to 5 minutes, Senator CORNYN for up to 15 minutes, and Senator WYDEN for up to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.  
I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO JAMES L. BUCKLEY

Mr. LEE. Mr. President, today we celebrate the 100th birthday of a true hero of the U.S. Senate, former Senator James Buckley.

Born in 1923, James L. Buckley was raised in rural Connecticut. He went to college at Yale and graduated from Yale with a degree in English.

After enlisting in the Navy, he served in World War II, where he fought in battles of Leyte, Lingayen Gulf, and Okinawa. Senator Buckley was discharged in 1946 with the rank of lieutenant and received his law degree from Yale in 1949.

After working for a number of years in the private sector, James was elected to the U.S. Senate in 1970 as the candidate of New York's Conservative Party, becoming the only candidate in the history of that State to win a major party election, running against both a Republican and a Democrat. In fact, Senator Buckley was the first and only third-party candidate to be elected to the U.S. Senate in the 20th century.

During his tenure, he championed many conservative causes, but in particular, he was a pioneer in the early pro-life movement following the Supreme Court's decision in *Roe v. Wade* in 1973. Senator Buckley proposed and fought for a human life amendment, which would have recognized embryos as persons for purposes of that term's use in the 14th Amendment. Along with the late Senator Jesse Helms, Buckley was also a key player in passing the Hyde amendment, named after the late Henry Hyde, which prevents taxpayer dollars from funding elective abortions.

Challenging the orthodoxy of his day, Republican Senator Buckley, was also one of the Senate's first true environmental conservationists. "Nixon established the EPA in 1970," he said, but he added, "I actually proposed it during my '68 campaign." He is responsible for major revisions to the Clean Air Act, which passed in 1977.

James Buckley would later serve as an Under Secretary of State for Security Assistance in the Reagan administration in 1981, and then from 1982 to 1985, he served as president of Radio Free Europe/Radio Liberty, which was a contributing force in defeating the Soviet Union in the Cold War. Buckley used radio to deliver raw, fact-based news and messages to millions stuck behind the Iron Curtain.

Then in 1985, President Reagan nominated Buckley to serve on the U.S. Court of Appeals for the District of Columbia Circuit. The Senate confirmed him. Once confirmed to this position, Buckley became the only American to have served in a major position in all three branches of the Federal Government—as a U.S. Senator, as Under Sec-

retary of State, and then as a judge sitting on the DC Circuit. He retired in 2000.

My own interactions with James Buckley have helped me understand why he remains a hero to this day, not just in the Senate but really throughout the United States. I invited him to address the Senate Republican conference at our steering lunch just a few years ago, in which he provided observations that were timely, relevant, compelling, and delivered with incredible enthusiasm.

On each occasion when I have met Senator Buckley, he has always struck me as someone who is friendly, who is kind, who is thoughtful, considerate, and deeply loves his country and is willing to work hard to make it a better place.

Today, Mr. Buckley is the oldest living former U.S. Senator, and to this day, he remains an advocate for constitutional government, for federalism, separation of powers, and for conservatism at large.

In his 2015 book, "Saving Congress from Itself: Emancipating the States & Empowering Their People," Mr. Buckley wrote:

Congress's current dysfunction is rooted in its assumption over the years of more responsibilities than it can handle. Its members now live a treadmill existence that no longer allows them time to study, learn, and think things through. Instead, they substitute political reflex for thought.

The Senate would serve America well by heeding Mr. Buckley's words.

James Buckley's commitment to service, whether on the battlefield, in these Halls of Congress, or in the courtroom, is a reminder of the power, joy, and honor of being an American.

On this his 100th birthday, the Senate recognizes and pays tribute to a former colleague, Senator James L. Buckley, and his important legacy.

The PRESIDING OFFICER. The Senator from Texas.

FENTANYL

Mr. CORNYN. Mr. President, the overdose epidemic is ravaging communities all across this country and leaving a trail of death and destruction. The latest data shows we lost nearly 107,000 Americans last year alone. The majority of those deaths were attributed to fentanyl, a synthetic opioid made from precursors shipped from China, mainly, to Mexico, where they are then manufactured. Fentanyl alone is killing 70,000 Americans a year.

On average, we are talking about more than 190 people dying each day due to fentanyl. That is more people than a commercial 737 airliner can hold. So imagine the public outrage if, day after day, commercial airliners fell out of the sky, killing everyone aboard. Well, you can imagine what the reaction would be. Social media would erupt. People would protest. Our constituents wouldn't just ask us to intervene; they would demand it.

Unfortunately—and this is a mystery to me—the fentanyl epidemic and the

drug overdose deaths we have seen in the last year don't get the same sort of response. It is as though our threshold for outrage now is so high that even the death of 107,000 Americans would not achieve that threshold.

We know this epidemic does not discriminate. It kills people of all ages and backgrounds from major cities and small towns all across America. But one of the most alarming trends we see is the appalling trend of fentanyl-related deaths among teenagers. These teens frequently think they are buying something else, such as Percocet or OxyContin or Xanax, and unknowingly they end up with a counterfeit pill contaminated with a deadly dose of fentanyl.

This is the case for students in Hays County, which is just southwest of Austin, where I live. Since last summer, the Hays Consolidated Independent School District has lost five students to fentanyl poisoning.

In October, I had the chance to meet with the parents of one of those students, Shannon McConville, who lost her 17-year-old son Kevin to fentanyl poisoning. She told me that Kevin was full of promise, a talented person, an artist. After graduating, he wanted to join the Navy and become an underwater welder. But, sadly, Kevin was never able to realize his dream. He died just a few weeks before the beginning of his senior year.

A couple of weeks ago, I traveled to Hays County to speak with more families who have lost their children to fentanyl poisoning, as well as law enforcement personnel, school officials, and medical professionals, trying to figure out what do we need to do.

I saw Shannon and her husband Darren, as well as the parents of another young victim, 15-year-old Noah Rodriguez. Noah's parents, Brandon and Janel, told me that Noah was a genuine, kind young man and something of a jokester. He was an athlete, a devoted friend, and a big brother to his three siblings, the youngest of whom was only 2 weeks old when Noah died.

Despite their profound loss, these parents and countless others are committed to raising awareness. You can imagine the courage it takes to overcome your grief and pain to try to share your story with others so that others might live.

I had the opportunity to learn about the Fighting Fentanyl public awareness campaign in Hays County, as well as the work being done by school leaders and law enforcement. We all acknowledged that there is no single action that will end this epidemic. We can't just focus on prevention or treatment or drug diversion; a successful strategy will involve all three of those. We need buy-in from leaders at every level of government, as well as healthcare providers, schools, non-profits, law enforcement, and, of course, the general public, just like the approach we are seeing in Hays County. This has to be an all-in effort.

But during our discussion, there was broad agreement that the starting point should be the source of these drugs, which is our southern border. All four parents stressed the importance of securing the border and preventing fentanyl from ever reaching our communities.

Shannon McConville said that when it comes to the border, the Biden administration is failing. I agree.

Last week, five of my Republican colleagues joined me for a series of tours and meetings in the Rio Grande Valley, where they got to see the administration's security failures firsthand. By my calculation, that is about the 10th delegation that either I or Senator CRUZ or both of us have hosted of colleagues coming to the border in Texas.

Border Patrol agents told us last weekend about the tactics cartels use to traffic fentanyl and other dangerous drugs into the country. First and foremost, they distract and overwhelm agents by coordinating a surge of migrants, which provides a golden opportunity to sneak across the border undetected—overwhelm the Border Patrol with a swarm of migrants and distract them while the drugs make their way north.

This isn't news, of course, to the Biden administration. It is a well-known maneuver used by the cartels, acknowledged by the Attorney General of the United States last week when he came before the Senate Judiciary Committee. But for some reason, the administration seems determined to just simply look the other way.

President Biden's apathetic approach to the southern border must change in order for us to have a chance at addressing this public health crisis. Just think about a burst pipe in your home. If water is pouring from the ceiling, what do you do first? Well, you aren't going to go grab buckets and towels to start cleaning the water while it is still raining down; you are going to turn the main water supply off and stop the leak at its source. That is what we need to do here: Cut off the supply. Until that happens, we are going to be fighting a losing battle, and more people will die.

It is well known that the southern border is a major gateway for illegal drugs. In the last 12 months, Customs and Border Protection have seized 23,000 pounds of fentanyl at the southern border, enough to wipe out the entire U.S. population many times over.

That is a daunting statistic, but we know this number isn't the full story. It only includes the drugs that our law enforcement officials were able to stop. We know from all the deaths and wide availability of fentanyl and other illegal drugs in America that much more than that makes its way into the interior of our country. So there is no exact way to know how much fentanyl has slipped through the cracks, but the fact that we are losing 70,000 Americans a year to fentanyl is proof that we aren't batting a perfect game—far from it.

Let's not forget the fact that law enforcement at every level is also encountering and attempting to stop the fentanyl proliferation. Last month, the Collin County Sheriff's Office and North Texas Sheriff's Criminal Interdiction Unit arrested a Dallas man with about 6,000 fentanyl pills in his vehicle during a traffic stop. Last year, the Drug Enforcement Administration seized more than 379 million lethal doses of fentanyl—enough to kill every American.

Drug trafficking is obviously a lucrative business, and cartels take advantage of every security gap in order to make money. There is no question that the ongoing border crisis has provided the perfect opportunity for these cartels, who care nothing about people. All they care about is the money.

If Border Patrol agents are changing diapers and passing out meals, as they have had to do to manage the volume of migrants coming across the border, they can't control the frontlines and stop cartels from trafficking these dangerous drugs into the interior.

I want to be clear. I am not suggesting that every migrant who comes across is responsible for the drugs coming across the border—far from it. But the mass movement of people orchestrated by these transnational criminal organizations, even including people with legitimate asylum claims, opens the opportunity—gateways, if you will—for truly dangerous criminals and substances to come across the border. Unless something changes, it is going to get worse. In order to save lives, we have got to secure the border and stop fentanyl from reaching our communities. That should be the first step.

As a matter of fact, the President, in his State of the Union last month, said that he wanted Members of Congress to pass his plan to provide the officers and equipment needed to secure the border. Now, that surprised me because I wasn't aware that the President had a plan, but there is no question that border security legislation is needed and those resources are necessary.

We need to strengthen this combination of technology, boots on the ground, and infrastructure that Border Patrol tells me is the key to successfully securing the border, and that is the only way to stop dangerous drugs and criminals who mingle in with economic migrants and other asylum seekers to make their way across the border into the interior of the United States.

There is no doubt we also need to reform the asylum process to ensure that personnel, technology, and infrastructure can properly focus on interdicting narcotics and other contraband.

Anyone who questions the need for these measures should talk with the parents who have had to bury their children; talk with the brothers and sisters who have lost a sibling; talk with the teenagers who are grieving at the unexpected losses of healthy and vibrant friends. We owe it to them and

to the countless people who are terrified by this looming threat to stop these drugs at the source.

Obviously, what we are doing now is not sufficient. It is not working. I heard, again, Attorney General Garland say: Well, we are doing everything we can. And that is not true. He may think he is doing everything he can, but, obviously, it isn't working.

We can't accept failure. We have got to come up with a formula to address this as we did yesterday during an open hearing in the Intelligence Committee where I asked the leaders of our national security Agencies: What else can you offer? what other resources? What other authorities do you need in order to stop this dying of people who are taking fentanyl and other illegal drugs coming across the border?

But it starts with securing the border, and we will be fighting a continuing losing battle until that is done.

I yield the floor.

NOMINATION OF JAMES EDWARD SIMMONS, JR.

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Judge James Simmons, Jr., who has been nominated to the U.S. District Court for the Southern District of California.

Born in Inglewood, CA, Judge Simmons received his B.A. from the University of California at Berkeley in 2001 and went on to earn his J.D. at Golden Gate University School of Law in 2004. Judge Simmons began his legal career as a deputy city attorney for the city of San Diego in 2005, a role in which he tried 19 jury trials on behalf of the city in 1 year. In 2006, he became a trial attorney at the San Diego District Attorney's Office. As an attorney in the gang prosecution unit, Judge Simmons tried 30 jury trials over 11 years. Since 2017, Judge Simmons has served as a Superior Court judge for the San Diego Superior Court. Having presided over thousands of matters and 12 bench trials, Judge Simmons has notably never been reversed by a reviewing court.

The American Bar Association has unanimously rated Judge Simmons "well qualified" to serve on the Southern District of California, and Senators FEINSTEIN and PADILLA strongly support his nomination as well.

I will be supporting this highly qualified nominee, and I urge all of my colleagues to do the same.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF DANIEL I. WERFEL

Mr. WYDEN. Mr. President, in a few minutes, the Senate will vote on Danny Werfel's nomination to be the Commissioner of the Internal Revenue Service.

Mr. Werfel told the Finance Committee that he will make his priorities those of delivering fairness and building trust.

We know that he is going to do just that because he has done it before. President Obama asked Mr. Werfel, during a very challenging time, to serve as Acting Commissioner in 2013.



Then, the Internal Revenue Service was under intense scrutiny for its sloppy reviews of tax-exempt organizations and their political activities. Mr. Werfel did his job in a way that improved trust in the Internal Revenue Service.

He worked with both sides of the Senate Finance Committee. Our investigation found that both left-leaning and right-leaning groups were affected. The late Senator Orrin Hatch, a friend to many in this Chamber, told me on a number of occasions how much he appreciated Danny Werfel's professionalism and his open door for all sides.

It is time to rebalance the American system of tax enforcement. Audits today, too often, are a burden that fall heavily on working families—on nurses and firefighters and teachers and the middle class. It is far too easy for the very wealthy and the multinational corporations, which have armies of tax lawyers and accountants, to get away with cheating and breaking the law. That is what the Democrats sought to address in the Inflation Reduction Act.

Now, I understand that not everybody in the Chamber shares those priorities. However, Mr. Werfel—and I will close with this—has committed to the Finance Committee that he is going to work with both sides of the aisle and bring transparency to the job. That includes how the IRS will spend funding to improve taxpayer services, upgrade information technology, and crack down on those wealthy tax cheats. He is going to protect confidential taxpayer data. That is an enormous priority for both sides. I think I am about as big a privacy hawk as there is here in this body, and it is certainly a priority of mine.

Danny Werfel is a highly qualified nominee. He has agreed to take on one of the toughest and most scrutinized jobs in public service. I urge my colleagues to now support Danny Werfel's nomination to head the Internal Revenue Service.

I yield the floor.

#### VOTE ON WERFEL NOMINATION

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

Mr. WYDEN. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Idaho (Mr. RISCH).

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 50 Ex.]

#### YEAS—54

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

#### NAYS—42

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

#### NOT VOTING—4

Feinstein	McConnell
Fetterman	Risch

The nomination was confirmed.

(Mr. HEINRICH assumed the Chair.)

The PRESIDING OFFICER (Mr. KING). Under the previous order, the motion to reconsider is considered made and laid upon the table, and President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the Simmons nomination.

The senior assistant legislative clerk read the nomination of James Edward Simmons, Jr., of California, to be United States District Judge for the Southern District of California.

Thereupon, the Senate proceeded to consider the nomination.

#### VOTE ON SIMMONS NOMINATION

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

Ms. HASSAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mrs. FEINSTEIN), and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from Idaho (Mr. RISCH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 43, as follows:

[Rollcall Vote No. 51 Ex.]

#### YEAS—51

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

#### NAYS—43

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

#### NOT VOTING—6

Booker	Fetterman	Moran
Feinstein	McConnell	Risch

The nomination was confirmed.

The PRESIDING OFFICER (Mr. PETERS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Kahn nomination, which the clerk will report.

The legislative clerk read the nomination of Maria Araujo Kahn, of Connecticut, to be United States Circuit Judge for the Second Circuit.

#### NOMINATION OF MARIA ARAUJO KAHN

Mr. DURBIN. Mr. President, today, the Senate will vote on the nomination of Justice Maria Kahn, who has been nominated to the U.S. Court of Appeals for the Second Circuit.

Since 2017, Justice Kahn has served as an associate justice for the Connecticut Supreme Court. Over the past 6 years, she has authored over 55 opinions. Prior to her appointment, she also briefly served on the Connecticut Appellate Court, where she authored eight opinions. Justice Kahn began her judicial career on the State's Superior Court in 2006 and presided over thousands of matters, 50 criminal trials, and several civil trials.

Prior to joining the bench, Justice Kahn spent her entire time in practice in government service. She began her legal career as a deputy assistant public defender for the Connecticut Public



Defender Services in 1991. In 1993, she became a staff attorney in the Connecticut Office of Protection and Advocacy for Persons with Disabilities. Most recently, Justice Kahn served as an Assistant U.S. Attorney for the District of Connecticut. As an AUSA, she worked in the civil division from 1997 to 1999 and the criminal division from 1999 to 2004 before being promoted to computer crimes coordinator. Across these roles, she tried dozens of cases and argued two appeals before the Second Circuit and one before the Connecticut Supreme Court.

Born in Benguela, Angola, Justice Kahn immigrated to the United States when she was 10. She earned her B.A. cum laude from New York University in 1986 and her J.D. from Fordham Law School in 1989. She also clerked for the Honorable Peter C. Dorsey on the U.S. District Court for the District of Connecticut for 2 years.

Justice Kahn enjoys the strong support of Senators Blumenthal and Murphy, and she has been unanimously rated “well qualified” by the American Bar Association to serve on the Second Circuit. I hope all of my colleagues will join me in supporting this eminently qualified nominee.

#### VOTE ON KAHN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Kahn nomination?

Mr. HEINRICH. 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 New Jersey (Mr. BOOKER), the Senator from California (Mrs. FEINSTEIN), and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from Idaho (Mr. RISCH).

The result was announced—yeas 51, nays 42, as follows:

[Rollcall Vote No. 52 Ex.]

#### YEAS—51

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

#### NAYS—42

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

#### NOT VOTING—7

Booker	Fetterman	Risch
Crapo	McConnell	
Feinstein	Moran	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Nebraska.

#### BORDER SECURITY

Mrs. FISCHER. Mr. President, I am sure you have seen news reports about a group of four Americans who were recently kidnapped after driving across the U.S.-Mexico border. This week, two of them were tragically found dead. My heart goes out to the families affected by this devastating development.

This is the latest in a string of incidents that underscore just how chaotic the situation is at our southern border. I know firsthand because I visited the border last week, along with a delegation of Republicans led by my colleague Senator CORNYN. We can read about what is going on down at the border. We can watch the news. But until you travel south and see the chaos there with your own eyes, you really can't fully understand the gravity of this situation.

The numbers we hear reported are overwhelming. Migrant encounters this fiscal year have already stretched past 770,000. December hit a record for monthly encounters, at over 251,000.

Sure, we talk about these numbers, but what really brings home what a crisis this is, is walking past an unfinished border wall, boating up and down the Rio Grande River, riding through the brush, and seeing the paths migrants use to sneak into our country. It is touring a raided stash house where a weapon was found, an illegal immigrant was detained, and a human smuggler was arrested. The faces and the voices of people on the ground in Texas who are directly hurt by border insecurity—that is what really brings home what a crisis this is.

My colleagues and I talked to Border Patrol officers, illegal immigrants, and South Texas landowners. Each of these conversations unveiled a new side of the tragic situation at the border.

Our agents are doing good and honorable work to protect migrants, to defend our national security, and to stop criminals in their tracks, but it is all with little support from this administration.

Along the border wall, we spoke with illegal immigrants, some of them single men and women and some of them with families. We met a 6-month-old baby. All had been detained by Border Patrol, and they were being identified before being sent to a processing center.

This is a sad situation, not just what these migrants face to get here, dealing with the coyotes and the cartels, but then what they will face in their future. These migrants will head north, and they will be forced to work off what they owe the coyotes for getting them across our border. Many of them will be funneled into lives of indentured servitude, some of them into human trafficking and sex trafficking.

But this is not only an enormous humanitarian crisis and a drug crisis; this is a national security crisis.

I am a senior member on the Senate Armed Services Committee. Our trip to the Rio Grande Valley reaffirmed that the frenzy at our southern border is nothing short of a national security disaster.

The United States does not have control of the southwest border. Do you know who does? The Mexican cartels. When we cannot control who is entering our country, when we cannot control what they are bringing into our country or where they are going, that is a serious national security risk.

In fiscal year 2022, border agents arrested 98 suspected terrorists who were trying to enter the country illegally between our ports of entry. During the previous administration, this number was never higher than six. Since October, border agents have arrested another 53 people on the terror watch list. President Biden's mismanagement of the border has created a total catastrophe, and thanks to him, we are experiencing not only a homeland security crisis but also a homeland defense crisis.

This visit to the border was so frustrating because we know that the dangerous criminal activity going on there is preventable. But the President's refusal to enforce our country's laws, our current laws, means that trafficking of people, drugs, and weapons occurs unabated at our border.

In the Senate, we are trying to find solutions to the border crisis. I introduced a resolution with Senator BRITT, who joined us on last week's border trip, which simply acknowledges the crisis at the southern border. Let's just say there is a crisis that exists. That should be simple. I joined Senator BRITT to introduce the Keep Our Community Safe Act, which would close the gaping catch-and-release loophole allowing illegal immigrants to escape into our country.

I helped introduce Sarah's Law, sponsored by my colleague Senator ERNST, to require mandatory detention of illegal immigrants charged with violent crimes in our country and, in turn, better protect the public.

I will keep urging my colleagues to join these bills, but there is a limit to

what we can do while the President and his border czar Vice President HARRIS continue to turn a blind eye to what is going on in Texas. Throwing taxpayer dollars at a smartphone app that facilitates border crossing appointments for migrants is not going to cut it. We need the President and Vice President to do their jobs and enforce the laws that keep our country safe.

Step out of the White House, President Biden, and take a look at what is happening. When you say you travel to the border, go to the border.

The administration continues to release thousands of migrants into the United States each and every month, holding onto the pipe dream that they will voluntarily show up in court next year. And there are thousands more "got-aways" who continue evading Border Patrol and entering this country illegally.

The President needed to deal with this mess yesterday. It is far past time for this administration to show us some recognition that the President understands how dangerous this is. Time is up for President Biden to move past the photo ops and to reach across the aisle to find serious solutions.

Maintaining our national security should not be a partisan goal. It should be an American goal. Neglecting our border means more drugs brought into our country, more women and children facing a life of sex trafficking, and more threats to the security of our Nation.

Let's get our border security bills passed and deal with the situation once and for all.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam 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. Madam President, I move to proceed to executive session to consider Calendar No. 62.

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 Brent Neiman, of Illinois, to be a Deputy Under Secretary of the Treasury.

#### CLOTURE MOTION

Mr. SCHUMER. Madam 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. 62, Brent Neiman, of Illinois, to be a Deputy Under Secretary of the Treasury.

Charles E. Schumer, Ron Wyden, Jack Reed, Gary C. Peters, Tina Smith, Sherrod Brown, Brian Schatz, Ben Ray Lujan, Elizabeth Warren, Christopher A. Coons, Martin Heinrich, Christopher Murphy, Tammy Baldwin, Debbie Stabenow, Alex Padilla, Margaret Wood Hassan, Michael F. Bennet.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam 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. Madam President, I move to proceed to executive session to consider Calendar No. 65.

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 Eric M. Garcetti, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of India.

#### CLOTURE MOTION

Mr. SCHUMER. Madam 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. 65, Eric M. Garcetti, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of India.

Charles E. Schumer, Robert Menendez, Christopher Murphy, Benjamin L. Cardin, Jack Reed, Jeanne Shaheen, Christopher A. Coons, Richard J. Durbin, Tim Kaine, Mark R. Warner, Cory A. Booker, Richard Blumenthal, Chris Van Hollen, Amy Klobuchar, Peter Welch, Alex Padilla.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam 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. Madam President, I move to proceed to executive session to consider Calendar No. 2.

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 Ravi Chaudhary, of Virginia, to be an Assistant Secretary of the Air Force.

#### CLOTURE MOTION

Mr. SCHUMER. Madam 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. 2, Ravi Chaudhary, of Virginia, to be an Assistant Secretary of the Air Force.

Charles E. Schumer, Jack Reed, Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jeanne Shaheen, Brian Schatz, Benjamin L. Cardin, Edward J. Markey, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam 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. Madam President, I move to proceed to executive session to consider Calendar No. 18.

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 Laura Taylor-Kale, of California, to be an Assistant Secretary of Defense (New Position).

#### CLOTURE MOTION

Mr. SCHUMER. Madam 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. 18, Laura Taylor-Kale, of California, to be an Assistant Secretary of Defense. (New Position)

Charles E. Schumer, Jack Reed, Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jeanne Shaheen, Benjamin L. Cardin, Edward J. Markey, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, March 9, be waived.

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

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to legislative session for 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 JAMES L. BUCKLEY

Mr. GRASSLEY. Madam President, today, I would like to extend best wishes to the former Senator from New York, James L. Buckley. One hundred years ago today, on the 9th of March, Jim was born the fourth of 10 children, just as the Roaring '20s were getting underway. As he celebrates his 100th birthday, an impressive milestone by all accounts—I am also told he is the oldest living former U.S. Senator among us—Barbara and I wish Jim and his family a happy celebration.

Jim Buckley was elected to the U.S. Senate in 1970 as a candidate of the Conservative Party, making him the first third party candidate to win election to the U.S. Senate in four decades. Representing the State of New York in the 92nd through 94th sessions of Congress, he served during a rocky period in U.S. history that included the Vietnam and Watergate era. Before ever putting his name on the ballot for public office, Jim enlisted in the U.S. Navy in 1942, serving our country in uniform during World War II. He received his law degree from Yale University in 1949 and, from there, pursued a career in the law as an attorney and in law-making as a U.S. Senator.

Our congressional service overlapped during the 94th Congress, when I was a freshman Member of the U.S. House of Representatives. We didn't have the opportunity to serve together here in the upper Chamber. Senator Buckley ran for reelection as a Republican in 1976, losing to Senator Daniel Patrick Moy-

nihan, with whom I served until his retirement in 2001.

As conservatives, Senator Buckley and I share a commitment to shared principles, limited government, sanctity of life, States' rights, and safeguarding constitutional rights, including political free speech. In fact, his name will be attached for posterity to a landmark decision of the U.S. Supreme Court, *Buckley v. Valeo*. Then-Senator Buckley led a coalition of free speech advocates to challenge amendments made to the Federal Election Campaign Act of 1971 because they interfered with First Amendment rights.

Students of history, political junkies, and legal scholars recognize that this case has shaped the landscape of free speech and campaign finance for the last five decades. In 1976, the High Court arrived at two important conclusions regarding campaign finance laws. On the one hand, the Supreme Court found that contribution ceilings on individual contributions did not violate the First Amendment. However, in a vote of 7-1, it struck down restrictions on campaign expenses and found they did violate the First Amendment as an infringement on free expression.

Following his time in the legislative branch, Senator Buckley went on to serve in the Reagan administration in the U.S. State Department. From 1982-1985, Senator Buckley served as president of Radio Free Europe/Radio Liberty in Germany, essentially a clarion of the airwaves fighting communism. From there, he continued his lifelong devotion to public service when he was nominated by President Reagan to the U.S. Court of Appeals for the District of Columbia Circuit.

Judge Buckley was confirmed by the Senate on December 17, 1985. He served for the next 11 years and assumed senior status on August 31, 1996. I have served on the Senate Judiciary committee every year I have been honored to represent Iowa in the Senate, including 6 years as chairman. My colleagues here in the Senate understand that I take seriously my constitutional role to vet nominees to the Federal bench. In our system of checks and balances, I strive to uphold this fundamental cornerstone of our democratic republic. Lawmakers write the laws and set policy. Judges interpret the laws; they don't exercise their value judgments or impose their own policy preferences.

As Judge Buckley himself said at his portrait ceremony in December of 2003: "I hope, though, that my service on this court has been able to establish, if nothing else, that it is possible for a person to have the strongest views on questions of public policy and still understand and observe the sharp distinction between the constitutional role of a legislator and that of a judge."

I couldn't say it better myself. I salute this great American for his public service to our great Nation, from the U.S. military and spanning all three

branches of the Federal Government. Senior statesman, Senator, and judge may not be his most exalted titles. For someone whose humility and commitment to family are well known, those honors are husband, dad and grandfather. I extend my best wishes to Jim for a happy 100th birthday. Thank you for your patriotism, principled leadership, and service to America.

## ARMS SALES NOTIFICATION

Mr. MENENDEZ. Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

Hon. ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-11, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$60.18 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER  
(For James A. Hursch, Director).

Enclosures.

## TRANSMITTAL NO. 23-11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment \* \$60.00 million.

Other \$.18 million.

Total \$60.18 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to two hundred fifty-five (255) Javelin FGM-148F Missiles (includes five (5) Fly-to-Buy Missiles)

Non-MDE: Also included is U.S. technical assistance, consisting of Tactical Air Ground Missiles (TAGM) Project Office technical assistance and other related elements of logistical and program support.

(iv) Military Department: Army (AT-B-UMX).

(v) Prior Related Cases, if any: (AT-B-ULI).

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None known at this time.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 7, 2023.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Australia—Javelin FGM-148F Missiles

The Government of Australia has requested to buy up to two hundred fifty-five (255) Javelin FGM-148F missiles (includes five (5) fly-to-buy missiles). Also included is U.S. technical assistance, consisting of Tactical Air Ground Missiles (TAGM) Project Office technical assistance and other related elements of logistical and program support. The estimated total cost is \$60.18 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve the Australian Army's capability to meet current and future threats by maintaining and increasing its anti-armor capability. Australia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime U.S. contractor will be the Javelin Joint Venture between Lockheed Martin in Orlando, FL and Raytheon Missiles and Defense in Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any U.S. Government or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 23-11

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

##### Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Javelin Weapon System is a medium-range, man portable, shoulder-launched, fire and forget, anti-tank system for infantry, scouts, and combat engineers. It may also be mounted on a variety of platforms including vehicles, aircraft, and watercraft. The system weighs 49.5 pounds and has a maximum range in excess of 2,500 meters. They system is highly lethal against tanks and other systems with conventional and reactive armors. The system possesses a secondary capability against bunkers.

2. Javelin's key technical feature is the use of fire-and-forget technology which allows the gunner to fire and immediately relocate or take cover. Additional special features are the top attack and/or direct fire modes, an advanced tandem warhead and imaging infrared seeker, target lock-on before launch, and soft launch from enclosures or covered fighting positions. The Javelin missile also has a minimum smoke motor thus decreasing its detection on the battlefield.

3. The Javelin Weapon System is comprised of two major tactical components,

which are a reusable Light Weight Command Launch Unit (LWCLU) and a round contained in a disposable launch tube assembly. The LWCLU has been identified as Major Defense Equipment (MDE). The LWCLU may also be used in a stand-alone mode for battlefield surveillance and target detection. The LWCLU's thermal sight is a 3rd generation Forward Looking Infrared (FLIR) sensor.

4. The missile is autonomously guided to the target using an imaging infrared seeker and adaptive correlation tracking algorithms. This allows the gunner to take cover or reload and engage another target after firing a missile. The missile has an advanced tandem warhead and can be used in either the top attack or direct fire modes (for target undercover). An onboard flight computer guides the missile to the selected target.

5. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

6. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

7. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

8. All defense articles and services listed in this transmittal have been authorized for release and export to Australia.

#### ARMS SALES NOTIFICATION

Mr. MENENDEZ, Madam President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

Hon. ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-14, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Japan for defense articles and services estimated to cost \$1.381 billion. We will issue a news release to notify the public of

this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,  
Director.

Enclosures.

TRANSMITTAL NO. 23-14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Japan.

(ii) Total Estimated Value:  
Major Defense Equipment \* \$1.125 billion.  
Other \$256 billion.  
Total \$1.381 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Five (5) E-2D Advanced Hawkeye (AHE) Airborne Early Warning and Control (AEW&C) Aircraft.

Twelve (12) T56-A-427A Engines (10 installed, 2 spares).

Six (6) Multifunction Information Distribution System Joint Tactical Radio System (MIDS JTRS) Terminals (5 installed, 1 spare).

Five (5) APY-9 Radars (installed).

Five (5) ANAYK-27 Integrated Navigation Control and Display Systems (INCDS) (installed).

Twelve (12) LN-251 Embedded Global Positioning Systems/Inertial Navigation Systems (EGIs) with Embedded Airborne Selective Availability Anti-Spoofing Module (SAASM) or M-Code Receiver (10 installed, 2 spares).

Six (6) ALQ-217 Electronic Support Measures Systems (5 installed and 1 spare).

Non-MDE: Also included are aircraft ancillary equipment; modifications; spare and repair parts; support equipment; publications and technical documentation; software; personal protective equipment; personnel training and training equipment; ferry services; U.S. Government and contractor logistics, engineering, and technical support services; and other related elements of logistics and program support.

(iv) Military Department: Navy (JA-P-SDF).

(v) Prior Related Cases, if any: JA-P-SCW, JA-P-SCJ, JA-P-SCL, JA-P-SCM, JA-P-SCQ.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: March 7, 2023.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

Japan—E-2D Advanced Hawkeye Airborne Early Warning and Control Aircraft

The Government of Japan has requested to buy five (5) E-2D Advanced Hawkeye (AHE) Airborne Early Warning and Control (AEW&C) aircraft; twelve (12) T56-A-427A engines (10 installed, 2 spares); six (6) Multifunction Information Distribution System Joint Tactical Radio System (MIDS JTRS) terminals (5 installed, 1 spare); five (5) APY-9 radars (installed); five (5) ANAYK-27 Integrated Navigation Control and Display Systems (INCDS) (installed); twelve (12) LN-251 Embedded Global Positioning Systems/Inertial Navigation Systems (EGIs) with Embedded Airborne Selective Availability Anti-Spoofing Module (SAASM) or M-Code Receiver (10 installed, 2 spares); and six (6) ALQ-217 Electronic Support Measures Systems (5 installed, 1 spare). Also included are

aircraft ancillary equipment; modifications; spare and repair parts; support equipment; publications and technical documentation; software; personal protective equipment; personnel training and training equipment; ferry services; U.S. Government and contractor logistics, engineering, and technical support services; and other related elements of logistics and program support. The estimated total program cost is \$1.381 billion.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a major ally that is a force for political stability and economic progress in the Asia-Pacific region.

The proposed sale will improve Japan's ability to effectively provide homeland defense utilizing an AEW&C capability. Japan will use the E-2D AHE aircraft to provide AEW&C situational awareness of air and naval activity in the Pacific region and to augment its existing E-2C Hawkeye AEW&C fleet. Japan will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be Northrop Grumman Corporation Aerospace Systems, Melbourne, FL. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to Japan. However, U.S. Government or contractor personnel in-country visits will be required, on a temporary basis, in conjunction with program technical and management oversight and support requirements.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 23-14

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

#### Annex Item No. vii

##### (vii) Sensitivity of Technology:

1. The E-2D Advanced Hawkeye (AHE) Airborne Early Warning and Control (AEW&C) provides detection and surveillance of regional surface and aircraft platforms through the use of the APY-9 radar, APX-122A Identification Friend or Foe (IFF), and ALQ-217 Electronic Support Measures (ESM) systems. The E-2D AHE provides area surveillance and detection, air intercept control, air traffic control, search and rescue assistance, communication relay and automatic tactical data exchange.

2. The APY-9 radar is a mechanically rotated, electronically scanned array, which utilizes Space-Time Adaptive Processing (STAP) technology to provide 360-degree detection and surveillance in high clutter environments. It is able to provide simultaneous detection and surveillance of surface and air units.

3. The Multifunction Information Distribution System Joint Tactical Radio System (MIDS JTRS (5)) terminal provides enhanced Link 16 functionality, namely Concurrent Multi-netting with four channels (CMN-4) and Concurrent Contention Receive (CCR). CMN-4 is a Link 16 enhancement that increases the terminal capability from receiving only one Tactical Digital Information Link-J (TADIL-J) message packing structure per time slot to receive as many as four simultaneous message packing structures per time slot, each transmitted on a unique Link 16 net. CCR described the Link 16 terminal's ability to receive multiple messages in the same net within the same time slot.

4. The APX-122A IFF Interrogator and APX-123A IFF Transponder are identification systems designed for command and control. They provide the ability to distinguish friendly aircraft, vehicles, or forces, and to determine their bearing and range from the Interrogator.

5. The ALQ-217 Electronic Support Measure (ESM) system is used to detect, intercept, identify, locate, record, and/or analyze sources of radiated electromagnetic energy to support classification of unknown surface and airborne units.

6. The AN/AYK-27 Integrated Navigation Control and Display System serves as the network manager and the human machine interface for the E-2D navigation system.

7. The LN-251 Embedded Global Positioning Systems/Inertial Navigation Systems (EGIs) with embedded airborne Selective Availability Anti-Spoofing Module (SAASM) or M-Code Receiver (ASR) system provides position, navigation and timing information to the E-2D via the Global Positioning Satellite system and an inertial measuring unit.

8. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

9. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

10. A Special Security Agreement (SSA) will be in place to provide additional security requirements for implementation by the Government of Japan to protect the advanced capabilities this aircraft provides. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

11. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Japan.

## ADDITIONAL STATEMENTS

### RECOGNIZING BIG RIVER PACKAGING

• Ms. ERNST. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Big River Packaging of Clinton, IA, as the Senate Small Business of the Week for the week of March 13, 2023.

In 2001, Bob Simpson found himself reflecting on the 350 jobs that were lost due to the recent closure of the large paper plant in Clinton. He saw the value of the experienced professionals in the area and wanted to see their talent stay in his community. He and John Huling cofounded Big River Packaging in 2005 with the big idea of utilizing the dedicated local talent to create high-quality boxes. After hiring Bob's son Kip Simpson as the first employee, they began to make their dream a reality. Through trial and error, they slowly grew their business until they eventually found a niche

that truly "takes the cake": bakery boxes. Once they discovered the need for bakery boxes, they became dedicated to providing the best customer service to a unique clientele whose needs are often overlooked by large corporations.

In the folding carton industry, small carton orders for specialty items are an underserved market. Many in the industry choose to focus on big-volume orders, but Big River Packaging, on the other hand, has a short-order/value-added market strategy. Big River Packaging aims to help local bakeries by providing them with customized boxes, in volumes that the "big guy" often ignores. To continue to serve these specialized accounts with excellence, the company has decided to forgo a physical storefront and instead run all their sales solely through their website. The company strives to provide quality customer service and do everything they can to foster long-term relationships with their clients. This dedication has been evident since the beginning or, in other words, since the fateful day John Huling stopped at his local bakery to pick up a dozen donuts.

Years prior, cofounder John Huling went to a local bakery to pick up donuts. While he was there, he discovered that the bakery needed a special box to keep their cupcakes steady. At the time, the baker was using sheetcake boxes to transport cupcakes, leaving the individual desserts totally unsecured inside the box and, as a result, ruining the meticulously painted frosting on the cupcakes. Big River Packaging came to the rescue and developed an insert grid with holes for the cupcakes to keep them steady and upright. Keeping that same knack for product innovation in mind, Big River Packaging continues to cater to the unique needs of any bakery. Currently, Big River Packaging offers a plethora of boxes and bags to fulfill every baker's packaging needs, including cocoa bomb packaging, cupcake boxes, and paper bread bags. Over the years, their reach has grown to over 120,000 customers, and they have even expanded to international markets. In addition to their unique approach to the packaging industry, it is the team's commitment to high-quality products and top-notch customer service that has led to the growth and success of Big River Packaging.

When you chase a dream, you might be surprised where it takes you. Big River Packaging's commitment to the value of hard work has even allowed some of their boxes to end up on the silver screen. A 2019 episode of the hit television series *Grey's Anatomy* features one of Big River Packaging's boxes. Big River Packaging has also been recognized by the Iowa Small Business Administration in 2017 in celebration of National Manufacturing Day and National Manufacturing Week, and Bob Simpson was named the 2018 National Small Business Person of



the Year. Clearly, Mr. Simpson and Mr. Huling proved to be a dynamic pair as the two have led Big River Packaging through impressive growth and innovation, all while receiving accolades from industry experts and beyond. I want to congratulate Mr. Simpson and Mr. Huling along with the entire team at Big River Packaging. I look forward to seeing your continued growth and success in Iowa.●

#### TRIBUTE TO SCOTT SLADE

● Mr. OSSOFF. Madam President, I rise to honor a titan in Atlanta's media industry, someone whose name—and voice—are a staple of everyone's morning routine.

Scott Slade began his storied career at WSB Radio in 1984 on an overnight music show. In 1991, he took over as host of "Atlanta's Morning News," becoming the longest running host in the Atlanta market. Last month, Slade announced he would step aside from daily hosting duties of "Atlanta Morning News."

Slade's service to the community extends beyond his duties on air as a trusted voice for news. In 2000, Slade started the WSB Radio "Care-a-Thon" for Children's Healthcare of Atlanta's Cancer Center, helping raise millions of dollars to fight childhood cancer and blood disorders. Slade's voice and journalism has informed Georgians for decades, and we are all grateful to him.

As Georgia's U.S. Senator, I recognize and commend Scott Slade on his historic career and on his induction into the Georgia Association of Broadcasters Hall of Fame on March 15, 2023.●

#### TRIBUTE TO TINA TYUS-SHAW

● Mr. OSSOFF. Madam President, I rise to commend and recognize Tina Tyus-Shaw on her induction into the Georgia Association of Broadcasters Hall of Fame.

Born in Griffin, GA, Tyus-Shaw knew she wanted to be a journalist from an early age. After graduating from college, she worked at TV and radio stations in Macon and Columbus before joining WSAV in Savannah in 1992, where she has worked ever since. Thirty years later, Tyus-Shaw has since become a titan of the industry and an integral part of the Savannah community, anchoring the evening news and keeping coastal Georgia families informed. In addition to her journalism, Tyus-Shaw has been an integral part of WSAV's Buddy Check 3 Breast Cancer Awareness Program in partnership with St. Joseph's/Candler Hospital, spreading awareness of the need for breast cancer screenings for women.

As Georgia's U.S. Senator, I recognize and commend Tina Tyus-Shaw on her induction into the Georgia Association of Broadcasters Hall of Fame on March 15, 2023, and congratulate her on her remarkable journalism career.●

#### RECOGNIZING THE BELEN JESUIT WOLVERINES

● Mr. RUBIO. Madam President, I recognize the Belen Jesuit Wolverines varsity basketball team, winners of the FHSAA Class 5A State Championship Title in Boys Basketball held in Lakeland, FL, on March 4, 2023.

The Belen Jesuit Wolverines basketball team, led by Coach Gaston "Chachi" Rodriguez, finished their regular season with a 28-4 record. They claimed the school's first State championship in the sport. Considered underdogs with an undersized roster, Belen defeated Daytona Beach Mainland High School in the championship game with a final score of 49-30. Senior Javi Rosell's 22 points led the team, followed by sophomore Bryce Fitzgerald with 13 points, including 11 of 12 freethrows made. The championship game was tied after the first quarter, but Belen broke open with 13 steals and forced 23 turnovers from Mainland's team during the rest of the game. The Wolverines' 30 points allowed in the championship game were the fewest scored by an opponent over the past decade.

I extend my best wishes to the entire Belen Jesuit family, Principal Roca, Coach Gaston Rodriguez, players Kevin Garcia, Joshue Perez, Ryan Cuellar, Javi Rosell, Bryce Fitzgerald, Alec Arnholt, Ej Gross, Carlos Santana, Alejandro Lopez, Max Klemick, Vincent Lima, Al Madrigal, Dillon Diaz, Nicolas Portuondo, and Ignacio Falla. I look forward to hearing of their continued success in the years to come.●

#### RECOGNIZING THE MATER LAKES ACADEMY BASKETBALL TEAM

● Mr. RUBIO. Madam President, I recognize the Mater Lakes Academy Bears varsity boys' basketball team, winners of the Class 4A State Final at the 2023 Boys Basketball State Tournament held in Lakeland, FL, on March 4, 2023.

The Mater Lakes Academy Bears basketball team, led by Coach Dylan Estock, finished their regular season with a 28-3 record. The team won Mater Lakes its first basketball State championship since the school opened in 2006. Ten players scored in the championship game, led by their primary trio of senior Michael Bradley, who scored 21 points; junior Christian Reid, with 20 points and seven rebounds; and sophomore Anthony Knowles, with 13 points, six rebounds, and six assists. Mater Lakes took command of the game in the second quarter, growing their lead to 23 points before defeating the Villages Charter by a final score of 77-41. Their stifling defense forced their opponent, who came into the championship game averaging 64.5 points a game, to score only 41 points.

I extend my best wishes to the entire Mater Lakes Academy family, Principal Rovirosa, Coach Dylan Estock, Assistant Coach Peterson Morency, players Michael Bradley, Khalil Volel,

Gabriel Farjardo, Ian Pascall, Emerson Felicien, Rolph Blanc, Anthony Knowles, Nicholas Perez, Jet Walis, Christian Reid, Clarence Burts, and Desmond McIntosh. I look forward to hearing of their continued success in the years to come.●

#### TRIBUTE TO GEORGIANNA LINCOLN

● Mr. SULLIVAN. Madam President, I rise to join the other members of Alaska's Federal delegation—Senator LISA MURKOWSKI and Representative MARY PELTOLA—in honoring our very dear friend Georgianna Lincoln, who will be retiring from the board of the regional Alaska Native Corporation, Doyon, Limited, after 47 years of service.

For decades, Georgianna has been a force for good in our State. A force of nature, with an indomitable spirit, Georgianna, a Koyukon Athabascan Indian, was born in the village of Rampart, AK, in 1945. She moved to Fairbanks when she was in fourth grade. Like the experience of many Alaska Natives, moving from a small village to a relatively big city was tough. Fairbanks, she said, was "foreign to me." But her mother, Kathryn Evans Harwood, told her repeatedly that she was as good as anyone else—an equal. And that message stayed with her throughout her long career in public service and politics.

"This path is cut clear for me and I am following it, willingly," Georgianna later recalled. "Knowing that, I can take boulders and move them aside because in front of that boulder is green pastures; maybe more trouble, but nothing is insurmountable."

Indeed, from executive board rooms, to the halls of the State legislature, to communities throughout Alaska that she has worked tirelessly to improve, nothing has been insurmountable for Georgianna. As a young woman in Fairbanks, Georgianna got involved with the Fairbanks Native Association, eventually becoming the executive director of the organization. This was in the 1960s, when the Alaska Native Claims Settlement Act—the largest lands claims act in U.S. history—was in full debate. She, along with thousands of Alaska Natives from across the State, advocated tirelessly for the bill, which eventually passed. It redefined Federal Indian policy in Alaska and fundamentally transformed the lives of Alaska Natives.

That was just the beginning for Georgianna. She went on to develop health and education programs in her region, helping to improve the lives of so many. And then she decided to run for the Alaska legislature. She won a seat in the house in 1991, then ran for the senate, where she stayed until 2005. In the legislature, she was a fierce champion of issues impacting women and children, as well as natural resource management. Still today, she is the only Alaska Native woman ever elected to the Alaska State Senate.

Her achievements didn't end there. She became the director of programs for Tanana Chiefs Conference, served as a director on the Alaska Native Heritage Center board, United Bank of Alaska, Alaska Native Health Board, National Indian Health Board, and the North American Indian Women's Association.

Significantly, she dove head first into her work for Doyon starting in 1976, later serving as board chair of the corporation and its subsidiaries—and guiding the corporation through years of remarkable growth. Most recently, she served on the finance committee, shareholder relations committee, and on the Doyon Oil Field Services, Inc., board. She also served as the Doyon representative on the Alaska Federation of Natives board of directors.

Throughout the years, Georgianna has mentored countless Alaskans, focusing especially on Alaska Native women. Channeling her mother, she tells them, "Know that you are Indian. Know that you are Native and that is enough. Apologize to no one. Be proud of who you are. Learn to love yourself."

Her service to Doyon—now with 20,400 shareholders, and the largest private landowner in Alaska and one of the largest in North America—and to all of the various organizations of which she has been part, have been invaluable. But she counts her greatest accomplishments to be her two adult children, Gidget Lincoln and Sean Lincoln, and her nine grandchildren.

We thank Georgianna's family, including her partner Chris Cooke, for sharing her with Alaska. We thank her for the many years of service to our State and congratulate her on such an illustrious career. We wish her all the best in retirement.

"Ana Baasee" Georgianna."•

#### MESSAGE FROM THE HOUSE

At 12:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 753. An act to direct the Secretary of Veterans Affairs to use on-site regulated medical waste treatment systems at certain Department of Veterans Affairs facilities, and for other purposes.

#### ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 30. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to "Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights".

The enrolled joint resolution was subsequently signed by the President pro tempore (Mrs. MURRAY).

#### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 753. An act to direct the Secretary of Veterans Affairs to use on-site regulated medical waste treatment systems at certain Department of Veterans Affairs facilities, and for other purposes; to the Committee on Veterans' Affairs.

#### MEASURES PLACED ON THE CALENDAR

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

S. 701. A bill to protect a person's ability to determine whether to continue or end a pregnancy, and to protect a health care provider's ability to provide abortion services.

#### 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-665. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the coronavirus disease 2019 (COVID-19) pandemic that was declared in Proclamation 9994 of March 13, 2020; to the Committee on Finance.

EC-666. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Third Six-Year Remedial Amendment Cycle for Pre-approved Defined Benefit Plans: Issuance of Opinion Letters, Plan Adoption Deadline, and Opening of Determination Letter Program" (Announcement 2023-6) received in the Office of the President of the Senate on February 27, 2023; to the Committee on Finance.

EC-667. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Initial Guidance Establishing Program to Allocate Environmental Justice Solar and Wind Capacity Limitation Under Section 48(e)" (Notice 2023-17) received in the Office of the President of the Senate on February 27, 2023; to the Committee on Finance.

EC-668. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Initial Guidance Establishing Qualifying Advanced Energy Project Credit Allocation Program Under Section 48C(e)" (Notice 2023-18) received in the Office of the President of the Senate on February 27, 2023; to the Committee on Finance.

EC-669. A communication from the Security Officer II of the Office of Senate Security, transmitting, pursuant to law, a report relative to a determination and certification submitted to Congress by the Department of State (OSS-2023-0259); to the Committee on Foreign Relations.

EC-670. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of intent to provide assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-671. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Interdiction of Aircraft Engaged in Illicit Drug Trafficking"; to the Committee on Foreign Relations.

EC-672. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2023-0015-2023-0022); to the Committee on Foreign Relations.

EC-673. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to two (2) vacancies in the Department of Health and Human Services, received in the Office of the President of the Senate on February 27, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC-674. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to two (2) vacancies in the Department of Health and Human Services, received in the Office of the President of the Senate on February 27, 2023; to the Committee on Health, Education, Labor, and Pensions.

EC-675. A communication from the Senior Advisor, Department of Health and Human Services, transmitting, pursuant to law, a report relative to two (2) vacancies in the Department of Health and Human Services, received in the Office of the President of the Senate on February 27, 2023; to the Committee on Health, Education, Labor, and Pensions.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment:

S. 509. A bill to provide resources for United States nationals unlawfully or wrongfully detained abroad, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. DURBIN for the Committee on the Judiciary.

Matthew P. Brookman, of Indiana, to be United States District Judge for the Southern District of Indiana.

Damien M. Diggs, of Texas, to be United States Attorney for the Eastern District of Texas for the term of four years.

Stephen K. Eberle, of Pennsylvania, to be United States Marshal for the Western District of Pennsylvania for the term of four years.

Justin L. Martinez, of Utah, to be United States Marshal for the District of Utah for the term of four years.

Roy W. Minter, Jr., of Georgia, to be United States Marshal for the Southern District of Georgia for the term of four years.

(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 Mr. BENNET (for himself, Mr. CARDIN, Mr. BROWN, Mrs. FEINSTEIN, Mr. BOOKER, Ms. KLOBUCHAR, and Mr. VAN HOLLEN):

S. 726. A bill to amend the Internal Revenue Code of 1986 to modify the private business use requirements for bonds issued for lead service line replacement projects; to the Committee on Finance.

By Mr. SANDERS (for himself, Mr. MERKLEY, and Mr. MARKEY):

S. 727. A bill to limit the price charged by manufacturers for insulin; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. SANDERS, Ms. CORTEZ MASTO, Mr. REED, Mr. LUJÁN, Mr. MERKLEY, Ms. HIRONO, Mr. PADILLA, Ms. CANTWELL, Mr. SCHATZ, Mr. FETTERMAN, Mr. CASEY, Mr. MURPHY, Mr. MARKEY, Mr. BROWN, Mr. HICKENLOOPER, Mr. KING, Mr. KAINE, Ms. SINEMA, Mr. WELCH, Mr. BOOKER, Mrs. FEINSTEIN, Ms. STABENOW, Ms. WARREN, Mr. MENENDEZ, Mr. CARPER, Mr. WARNER, Ms. BALDWIN, Ms. SMITH, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Mr. WARNOCK, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. HEINRICH, Mr. DURBIN, Mr. WHITEHOUSE, Mr. COONS, Mr. KELLY, Ms. HASSAN, Mr. CARDIN, Ms. ROSEN, Mr. WYDEN, Mr. BENNET, Mr. MANCHIN, Mr. OSSOFF, Mr. TESTER, and Mr. PETERS):

S. 728. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 729. A bill to amend title XVIII of the Social Security Act to provide for the waiver of certain telehealth requirements to permit reimbursement for audio-only telehealth services under the Medicare program during emergency declarations; to the Committee on Finance.

By Mr. KENNEDY:

S. 730. A bill to amend title XVIII of the Social Security Act and the SUPPORT for Patients and Communities Act to provide for Medicare and Medicaid mental and behavioral health treatment through telehealth; to the Committee on Finance.

By Mr. KENNEDY:

S. 731. A bill to amend the Internal Revenue Code of 1986 to make permanent the permissible first-dollar coverage of telehealth services for purposes of health savings accounts; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. TESTER, Mr. THUNE, and Mr. BROWN):

S. 732. A bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to direct the Secretary of Agriculture to establish a national biochar research network, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THUNE (for himself, Mr. TILLIS, Mr. LANKFORD, and Mr. MORAN):

S. 733. A bill to clarify that convictions for kidnapping or sexual abuse are grounds for inadmissibility and deportability under the Immigration and Nationality Act; to the Committee on the Judiciary.

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

S. 734. A bill to enhance the participation of precision agriculture in the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REED (for himself, Ms. COLLINS, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, and Ms. KLOBUCHAR):

S. 735. A bill to strengthen the United States Interagency Council on Homelessness; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 736. A bill to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself, Mrs. MURRAY, Mr. WYDEN, Mr. VAN HOLLEN, Mr. BOOKER, Mr. SCHATZ, Ms. SMITH, Mr. REED, Mr. MURPHY, Mr. WELCH, Mr. DURBIN, Mr. MARKEY, Ms. WARREN, Ms. BALDWIN, Mr. LUJÁN, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. SANDERS, Mr. WHITEHOUSE, Mr. CARDIN, Mr. BROWN, Mr. BLUMENTHAL, Ms. STABENOW, Mr. PADILLA, Mr. MENENDEZ, Ms. HIRONO, Mr. FETTERMAN, Mr. PETERS, and Ms. CORTEZ MASTO):

S. 737. A bill to amend the Internal Revenue Code of 1986 to end the tax subsidy for employer efforts to influence their workers' exercise of their rights around labor organizations and engaging in collective action; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. BROWN, Mr. SANDERS, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Ms. CANTWELL, Mr. CARDIN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Ms. HIRONO, Mr. KELLY, Mr. KING, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PADILLA, Mr. REED, Ms. ROSEN, Mr. SCHATZ, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 738. A bill to amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee; to the Committee on Finance.

By Mr. KELLY (for himself and Ms. SINEMA):

S. 739. A bill to clarify jurisdiction with respect to certain Bureau of Reclamation pumped storage development, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN (for himself, Mr. BLUMENTHAL, Mr. TESTER, and Mr. GRAHAM):

S. 740. A bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROUNDS (for himself, Mrs. HYDE-SMITH, Mr. CRAMER, Mr. CRUZ, Mr. MARSHALL, Mr. RISCH, Mr. LANKFORD, Mr. CRAPO, Ms. LUMMIS, Mr. BRAUN, Mr. THUNE, and Mr. HOEVEN):

S. 741. A bill to amend chapter 44 of title 18, United States Code, to define "State of residence" and "resident", and for other purposes; to the Committee on the Judiciary.

By Ms. ERNST (for herself, Mr. BRAUN, Mr. CASSIDY, and Ms. LUMMIS):

S. 742. A bill to establish limitations on the amount of debt issued by the United States which may be held by foreign governments, entities, and individuals; to the Committee on Finance.

By Ms. LUMMIS (for herself, Mr. ROUNDS, Mr. CRAMER, and Mr. BRAUN):

S. 743. A bill to establish a national commission on fiscal responsibility and reform, and for other purposes; to the Committee on the Budget.

By Mr. SCHATZ (for himself, Ms. CORTEZ MASTO, Mr. MERKLEY, Ms. WARREN, Mr. BENNET, Mr. MURPHY, Ms. HIRONO, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. KING, Ms. HASSAN, Mr. SANDERS, Mr. MARKEY, Mr. BOOKER, Ms. DUCKWORTH, Ms. SMITH, Mr. LUJÁN, Mr. HEINRICH, and Mr. DURBIN):

S. 744. A bill to establish duties for online service providers with respect to end user data that such providers collect and use; to the Committee on Commerce, Science, and Transportation.

By Mr. KAINE (for himself and Mr. WARNER):

S. 745. A bill to designate additions to the Rough Mountain Wilderness and the Rich Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Ms. CORTEZ MASTO, Mr. BRAUN, Mr. TILLIS, Mr. MARSHALL, Ms. HIRONO, and Mr. YOUNG):

S. 746. A bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names; to the Committee on the Judiciary.

By Ms. COLLINS (for herself, Mr. KING, and Mrs. SHAHEEN):

S. 747. A bill to authorize the Secretary of Agriculture to provide grants to States, territories, and Indian Tribes to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. BALDWIN (for herself and Mr. HOEVEN):

S. 748. A bill to require the Administrator of the Federal Aviation Administration to establish a pilot training program to provide veterans with pilot training services; to the Committee on Commerce, Science, and Transportation.

By Mrs. FISCHER (for herself, Mr. TESTER, Ms. SMITH, Mr. ROUNDS, Mr. LUJÁN, Mr. MORAN, and Ms. WARREN):

S. 749. A bill to ensure that the National Advisory Council on Indian Education includes at least 1 member who is the president of a Tribal College or University and to require the Secretaries of Education and Interior to consider the National Advisory Council on Indian Education's reports in the preparation of budget materials; to the Committee on Health, Education, Labor, and Pensions.

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

S. 750. A bill to amend title III of the Public Health Service Act to prohibit health centers from providing abortions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 751. A bill to amend title 18, United States Code, to prohibit certain types of human-animal chimeras; to the Committee on the Judiciary.

By Mr. COTTON (for himself, Mr. MARSHALL, Mr. BRAUN, Mr. RUBIO, Mr. GRAHAM, Mr. LEE, Mr. CRUZ, and Mr. DAINES):

S. 752. A bill to secure the dignity and safety of incarcerated women; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. SCHUMER, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BOOKER, Ms. DUCKWORTH, Mr. DURBIN, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PADILLA, Mr. SANDERS, Ms. SMITH, Mr. VAN HOLLEN, Mr. WARNOCK, and Ms. WARREN):

S. 753. A bill to require small, medium, and large hub airports to certify that airport service workers are paid the prevailing wage and provided fringe benefits, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Ms. LUMMIS):

S. 754. A bill to amend the Richard B. Russell National School Lunch Act to modify requirements for local school wellness policies; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 755. A bill to prohibit the Secretary of the Air Force from entering into an agreement that would provide for or permit the joint use of Homestead Air Reserve Base, Homestead, Florida, by the Air Force and civil aircraft; to the Committee on Armed Services.

By Mr. RUBIO:

S. 756. A bill to amend the Internal Revenue Code of 1986 to expand prohibitions under the clean vehicle credit on battery components manufactured or assembled by corporations associated with foreign entities of concern, and for other purposes; to the Committee on Finance.

By Mr. ROMNEY (for himself and Mr. BENNET):

S. 757. A bill to amend the Agricultural Credit Act of 1978 with respect to preagreement costs of emergency watershed protection measures, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DAINES (for himself, Mr. PETERS, Ms. STABENOW, and Mr. MARSHALL):

S. 758. A bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes; considered and passed.

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

S. 759. A bill to authorize the National Detector Dog Training Center, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 760. A bill to amend the Department of Agriculture Reorganization Act of 1994 to authorize mandatory funding for the Health Food Financing Initiative; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COTTON (for himself, Mr. COONS, Mr. CORNYN, Mr. MERKLEY, Mr. TILLIS, Mr. KING, Mrs. BLACKBURN, Mr. BOOKER, Mr. YOUNG, Ms. CORTEZ MASTO, Mr. HAGERTY, Mr. BRAUN, Mr. LANKFORD, Mr. RUBIO, and Mr. GRASSLEY):

S. 761. A bill to combat forced organ harvesting and trafficking in persons for purposes of the removal of organs, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Ms. HASSAN, Mr. BROWN, Mr. KAINE, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. WELCH, Mr. FETTERMAN, Mr. MERKLEY, Mr. SANDERS, Ms. BALDWIN, Ms. DUCKWORTH, Ms. WARREN, Mr. REED, Mr. MARKEY, Mrs. SHAHEEN, and Mrs. MURRAY):

S. 762. A bill to amend title XIX of the Social Security Act to require coverage of, and expand access to, home and community-based services under the Medicaid program, to award grants for the creation, recruitment, training and education, retention, and advancement of the direct care workforce and to award grants to support family caregivers, and for other purposes; to the Committee on Finance.

By Mr. BARRASSO (for himself, Mr. MANCHIN, Mr. RISCH, Mr. HEINRICH, Ms. LUMMIS, Mr. COONS, and Mr. MARSHALL):

S. 763. A bill to prohibit the importation into the United States of unirradiated low-enriched uranium that is produced in the Russian Federation or by a Russian entity, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 764. A bill to amend the Internal Revenue Code of 1986 to provide special rules for casualty losses incurred by reason of Hurricane Ian, Hurricane Nicole, and Hurricane Fiona; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Mr. CARDIN):

S. 765. A bill to amend title XVIII of the Social Security Act to provide hereditary cancer genetic testing for individuals with a history of a hereditary cancer gene mutation in a blood relative or a personal or ancestral history suspicious for hereditary cancer, and to provide coverage of certain cancer screenings or preventive surgeries that would reduce the risk for individuals with a germline (inherited) mutation associated with a high risk of developing a preventable cancer; to the Committee on Finance.

By Mr. SANDERS (for himself, Mr. LUJÁN, Mr. MARKEY, Ms. WARREN, Mr. WELCH, Ms. HIRONO, Mr. MERKLEY, and Mr. PADILLA):

S. 766. A bill to ensure that teachers are paid a livable and competitive salary throughout their career, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Ms. STABENOW, Mr. BOOKER, Mrs. SHAHEEN, Mrs. MURRAY, Mr. MERKLEY, and Mr. FETTERMAN):

S. 767. A bill to enhance mental health and psychosocial support within United States development and humanitarian assistance programs; to the Committee on Foreign Relations.

By Mr. KENNEDY:

S. 768. A bill to amend the Higher Education Act of 1965 to require institutions of higher education to disclose certain ties to organizations affiliated with the Government of the People's Republic of China, the Chinese Communist Party, and the People's Liberation Army, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. RUBIO, Mrs. SHAHEEN, and Mr. GRAHAM):

S. 769. A bill to amend title 36, United States Code, to designate March 9 as U.S. Hostage and Wrongful Detainee Day and to designate the Hostage and Wrongful Detainee flag as an official symbol to recognize citizens of the United States held as hostages or wrongfully detained abroad; to the Committee on the Judiciary.

By Mrs. BLACKBURN (for herself, Mr. SCOTT of Florida, and Mr. RUBIO):

S. 770. A bill to provide for the loan and lease of defense articles to the Government of Taiwan, and for other purposes; to the Committee on Foreign Relations.

By Mr. CRUZ:

S. 771. A bill to amend the Endangered Species Act of 1973 to include a prohibition on

the listing of a living nonnative species as a threatened species or an endangered species, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BRAUN:

S. 772. A bill to amend the Congressional Budget Act of 1974 to set responsible budget targets; to the Committee on the Budget.

By Mr. CRUZ:

S. 773. A bill to exempt from the Lacey Act and the Lacey Act Amendments of 1981 certain water transfers between any of the States of Texas, Arkansas, and Louisiana, and for other purposes; to the Committee on Environment and Public Works.

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

S. 774. A bill to direct the Secretary of Homeland Security to establish a pilot program to hire transitioning servicemembers to be Border Patrol agents; to the Committee on Veterans' Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. COLLINS (for herself, Mr. KELLY, Mr. WARNOCK, Mr. CASEY, and Mr. BRAUN):

S. Res. 101. A resolution designating March 9, 2023, as "National Slam the Scam Day" to raise awareness about pervasive government imposter scams, and to promote education to prevent government imposter scams; considered and agreed to.

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

S. Res. 102. A resolution observing the 100th anniversary of the birth of John Leslie "Wes" Montgomery and commemorating his contributions to jazz music; considered and agreed to.

By Ms. DUCKWORTH (for herself, Mrs. CAPITO, Mrs. FEINSTEIN, Ms. WARREN, Mrs. SHAHEEN, and Ms. ERNST):

S. Res. 103. A resolution recognizing Girl Scouts of the United States of America on its 111th birthday and celebrating its legacy of providing girls with a safe, inclusive space where they can explore their world, build meaningful relationships, and have access to experiences that prepare them for a life of leadership; to the Committee on the Judiciary.

By Ms. CORTEZ MASTO (for herself, Mr. MERKLEY, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. PADILLA, Mr. MARKEY, Ms. SINEMA, Mr. HEINRICH, Mr. REED, Mr. LUJÁN, Mr. VAN HOLLEN, Ms. BALDWIN, Ms. HASSAN, Mrs. MURRAY, Mr. WELCH, Mr. COONS, Ms. CANTWELL, Ms. ROSEN, Mr. CASEY, Mrs. SHAHEEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. KELLY, Ms. HIRONO, Mr. BROWN, Mr. BLUMENTHAL, Mr. CARDIN, Mr. BENNET, Mr. BOOKER, Mr. SANDERS, Mr. KAINE, Ms. KLOBUCHAR, and Mr. DURBIN):

S. Res. 104. A resolution recognizing the heritage, culture, and contributions of Latinas in the United States; to the Committee on the Judiciary.

By Ms. HASSAN (for herself, Mr. BARRASSO, Mr. BOOZMAN, Mr. BRAUN, Mrs. CAPITO, Ms. COLLINS, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Mr. HEINRICH, Mr. HOEVEN, Mr. JOHNSON, Mr. KING, Ms. LUMMIS, Mrs. SHAHEEN, Ms. SINEMA, Mr. SULLIVAN, Mr. TESTER, Mr. WICKER, and Mr. YOUNG):

S. Con. Res. 5. A concurrent resolution supporting the Local Radio Freedom Act; to the

Committee on Commerce, Science, and Transportation.

By Ms. HIRONO (for herself, Mr. PETERS, Mr. BLUMENTHAL, Mr. BOOKER, Mr. HEINRICH, Mr. MARKEY, Mrs. MURRAY, Mr. PADILLA, Ms. WARREN, and Mr. WYDEN):

S. Con. Res. 6. A concurrent resolution expressing support for the recognition of March 10, 2023, as "Abortion Provider Appreciation Day"; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 124

At the request of Mr. SCHATZ, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 124, a bill to increase the rates of pay under the statutory pay systems and for prevailing rate employees by 8.7 percent, and for other purposes.

S. 178

At the request of Mr. BLUMENTHAL, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 178, a bill to establish protections for passengers in air transportation, and for other purposes.

S. 305

At the request of Mr. BLUMENTHAL, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 305, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the United States Marine Corps, and to support programs at the Marine Corps Heritage Center.

S. 347

At the request of Mr. RUBIO, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Indiana (Mr. BRAUN), the Senator from Wyoming (Ms. LUMMIS) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 347, a bill to protect Americans from the threat posed by certain foreign adversaries using current or potential future social media companies that those foreign adversaries control to surveil Americans, gather sensitive data about Americans, or spread influence campaigns, propaganda, and censorship.

S. 502

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 502, a bill to amend the Animal Health Protection Act with respect to the importation of live dogs, and for other purposes.

S. 541

At the request of Mr. KENNEDY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 541, a bill to provide for the independent and objective conduct and supervision of audits and investigations relating to the programs and operations funded with amounts appropriated or otherwise made available to Ukraine for military, economic, and humanitarian aid.

S. 597

At the request of Mr. BROWN, the names of the Senator from Arizona (Mr. KELLY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 597, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 653

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 653, a bill to lift the trade embargo to Cuba.

S.J. RES. 2

At the request of Mr. CRUZ, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. RES. 82

At the request of Ms. BALDWIN, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Hampshire (Ms. HASSAN), the Senator from California (Mr. PADILLA) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. Res. 82, a resolution congratulating the National Treasury Employees Union on its 85th anniversary and commending the dedication shown Federal employees and continued service provided by the National Treasury Employees Union and the members of the National Treasury Employees Union.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Mr. TILLIS, Mr. LANKFORD, and Mr. MORAN):

S. 733. A bill to clarify that convictions for kidnapping or sexual abuse are grounds for inadmissibility and deportability under the Immigration and Nationality Act; to the Committee on the Judiciary.

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. 733

*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 "Reverse Entry for Migrant Offenders and Violence Expulsion Act".

#### SEC. 2. GROUNDS FOR INADMISSIBILITY.

Section 212(a)(2)(F) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(F)) is amended to read as follows:

"(F) KIDNAPPING; SEXUAL ABUSE.—Any alien who has been convicted of—

"(i) any offense under chapter 55 of title 18, United States Code (related to kidnapping); or

"(ii) any offense under chapter 109A of such title (related to sexual abuse),

is inadmissible."

#### SEC. 3. GROUNDS FOR DEPORTATION.

Section 237(a)(2)(D)(i) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)(D)(i)) is amended—

(1) by inserting "chapter 55 (relating to kidnapping)," after "espionage,"; and

(2) by inserting "chapter 109A (relating to sexual abuse)," after "sabotage,".

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

S. 734. A bill to enhance the participation of precision agriculture in the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. THUNE. Madam President, agriculture may well be among the world's oldest ways of life, but it has never been stagnant. Farmers and ranchers have always looked for new and better ways to increase crop yields, conserve resources, and keep their land and livestock healthy and productive. Today's agricultural producers explore new farming practices, grow more resilient crops, and adopt new technologies to produce more and to use less. And the resilience of our food supply and America's ability to feed our country and the world are in no small measure thanks to these farmer-driven advances.

As I said, farmers and ranchers are always looking for ways to improve their operations, but they can face challenges when they are looking for reliable data. While the U.S. Department of Agriculture collects a lot of data, little has been done to analyze and organize it so it is useful for farmers.

Right now, many producers have to rely on anecdotal information to determine the value of things, like conservation and other production practices, and decide what to adopt on their farms and ranches. Better data would make it easier for farmers to decide what practices are the best option for them.

A recent study of Department of Agriculture data from farms in several States confirmed anecdotal reports about certain conservation practices. It demonstrated that farmers who use these practices were more likely to be able to plant during an exceptionally wet spring. That is the kind of information farmers need to make informed decisions about their operations. We need to see more of this kind of analysis.

That is why, earlier this year, I introduced my bipartisan Agriculture Innovation Act with Senator KLOBUCHAR. Our bill would make it easier for producers to use USDA data to assess the impact of various conservation and production practices so that producers can choose the right practices for their farm and ranch operations. I will work to get the Agriculture Innovation Act included in this year's farm bill.

While the macrolevel data that USDA collects can provide valuable information, farmers are already beginning to look to the next frontier, collecting real-time microlevel data from their own fields.

Imagine what a farmer could do with real-time information about soil quality, water uptake, and plant health. Imagine quickly knowing whether you need more nitrogen or less water in a section of your field. Imagine having real-time data about your land or livestock at your fingertips. This is the promise of precision agriculture: harnessing the power of technology to help producers manage their operations with real-time data.

GPS can allow farmers to identify field characteristics, map out irrigation, and optimize crop production on their fields. Soil monitors can allow farmers to react to conditions as they change and apply fertilizers more precisely. And remote monitoring can help farmers keep tabs on everything from resource usage to livestock health and feed consumption.

This precision agriculture represents a significant leap forward in farmers' long advance toward producing more and using less. It presents an opportunity to increase profitability by cutting down on inputs, the prices of which have spiked amid our inflation crisis. And it is a step toward broader use of conservation practices that will keep farm land in productive use for years to come.

But for Americans to reap all of the benefits of precision agriculture, more work needs to be done.

Today, I am introducing the bipartisan Promoting Precision Agriculture Act with Senator WARNOCK to help facilitate widespread adoption of precision technology. My bill would establish a partnership between government and the private sector to develop voluntary interconnectivity standards and prioritize cyber security for precision agriculture technologies. These standards will help enhance agriculture update and ensure reliability, usability, and security for producers and their data. It is an important element of ensuring these new technologies deliver the advances they promise and of making sure farmers and ranchers can trust that they are worthwhile investments.

But as farmers look to precision agriculture future, the one thing that could still hold them back is the continued digital divide. Without a reliable internet connection, precision agriculture just doesn't work. Next-generation precision ag technologies will need stronger connectivity.

Connecting unserved areas to reliable broadband has long been a priority of mine, and we made a good deal of progress through Federal investments and policies like my MOBILE NOW Act that removed regulatory barriers to broadband expansion.

But we still have a lot of work to do.

This year, I reintroduced my Rural Internet Improvement Act to stream-

line USDA's broadband authorities and ensure broadband funding goes to areas where at least 90 percent of households lack broadband access.

We also need to ensure broadband investments we have already made are actually going to their intended goal, and that is expanding broadband access to areas that are currently lacking it.

In the last 3 years, the Federal Government has allocated \$79 billion to broadband programs. But all the money in the world is useless if it is not being spent properly, which is why I launched a broadband oversight initiative in December to ensure this funding is going toward delivering broadband to the Americans who need it most.

It has been clear for a long time how critical an internet connection is to the future of everything from education and healthcare to business and everyday life. Connectivity has the potential to truly revolutionize how we grow food in America.

I am proud that South Dakota has been a leader in precision agriculture. South Dakota State University was the first in the country to offer a 4-year precision agriculture degree. In 2021, the university opened the Raven Precision Agriculture Center where the next generation of farmers will work to advance the next generation of farming.

Since opening its precision ag center, SDSU has also launched a precision ag and cyber program with Dakota State University, a leading cyber security institution.

As I have said numerous times, agriculture is the lifeblood of South Dakota. And anything we can do to make agriculture more efficient and more productive is not only good for our Nation's food supply, it is good for South Dakota farmers and their families.

Precision agriculture is one of those things. It has the potential to deliver the same kind of advance that crop rotation, the Farmer's Almanac, and crop engineering delivered for farming. It can make farming more efficient, more cost-effective, and environmentally friendly than it already is. And it can help our farms produce more food for more people with fewer resources and on less land.

I will be working hard to ensure South Dakota farmers and ranchers and farmers and ranchers around the country have the resources they need to innovate and that this year's farm bill advances the next generation of farming.

A farmer is a lot of things: a scientist and a laborer, an innovator and accountant, an engineer and a conservationist. I am proud to serve the extraordinary men and women who keep our rich agricultural heritage alive and thriving. And I will continue working to help them as they move it into the future.

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. 734

*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 "Promoting Precision Agriculture Act of 2023".

## SEC. 2. DEFINITIONS.

In this Act:

(1) 3GPP.—The term "3GPP" means the Third Generation Partnership Project.

(2) ADVANCED WIRELESS COMMUNICATIONS TECHNOLOGY.—The term "advanced wireless communications technology" means advanced technology that contributes to mobile (5G or beyond) networks, next-generation Wi-Fi networks, or other future networks using other technologies, regardless of whether the network is operating on an exclusive licensed, shared licensed, or unlicensed frequency band.

(3) ARTIFICIAL INTELLIGENCE.—The term "artificial intelligence" has the meaning given the term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. note prec. 4061).

(4) FOREIGN ADVERSARY.—The term "foreign adversary" means any foreign government or foreign nongovernment person engaged in a long-term pattern or serious instances of conduct significantly adverse to the national security of the United States, or security and safety of United States persons.

(5) PRECISION AGRICULTURE.—The term "precision agriculture" means managing, tracking, or reducing crop or livestock production inputs, including seed, feed, fertilizer, chemicals, water, time, and such other inputs as the Secretary determines to be appropriate, at a heightened level of spatial and temporal granularity to improve efficiencies, reduce waste, and maintain environmental quality.

(6) PRECISION AGRICULTURE EQUIPMENT.—The term "precision agriculture equipment" means any equipment or technology that directly contributes to a reduction in, or improved efficiency of, inputs used in crop or livestock production, including—

- (A) global positioning system-based or geospatial mapping;
- (B) satellite or aerial imagery;
- (C) yield monitors;
- (D) soil mapping;
- (E) sensors for gathering data on crop, soil, and livestock conditions;
- (F) Internet of Things and technology that relies on edge and cloud computing;
- (G) data management software and advanced analytics;

(H) network connectivity products and solutions, including public and private wireless networks;

(I) global positioning system guidance, auto-steer systems, autonomous fleet, and other machine-to-machine operations;

(J) variable rate technology for applying inputs, such as section control; and

(K) any other technology that leads to a reduction in, or improves efficiency of, crop and livestock production inputs, which may include—

- (i) seed;
- (ii) feed;
- (iii) fertilizer;
- (iv) chemicals;
- (v) water;
- (vi) time;
- (vii) fuel;
- (viii) emissions; and

(ix) such other inputs as the Secretary determines to be appropriate.

(7) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(8) **TRUSTED.**—The term “trusted” means, with respect to a provider of advanced communications service or a supplier of communications equipment or service, that the Secretary has determined that the provider or supplier is not owned by, controlled by, or subject to the influence of, a foreign adversary.

(9) **VOLUNTARY CONSENSUS STANDARDS DEVELOPMENT ORGANIZATION.**—

(A) **IN GENERAL.**—The term “voluntary consensus standards development organization” means an organization that develops standards in a process that meets the principles for the development of voluntary consensus standards (as defined in the document of the Office of Management and Budget entitled “Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities” (OMB Circular A-119)).

(B) **INCLUSIONS.**—The term “voluntary consensus standards development organization” includes the 3GPP, the Alliance for Telecommunications Industry Solutions, the Agricultural Industry Electronics Foundation, and the Global System for Mobile Communications Association.

### SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to enhance the participation of precision agriculture in the United States; and

(2) to promote United States leadership in voluntary consensus standards development organizations that set standards for precision agriculture.

### SEC. 4. INTERCONNECTIVITY STANDARDS FOR PRECISION AGRICULTURE.

(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with the Director of the National Institute of Standards and Technology, shall—

(1) develop voluntary, consensus-based, private sector-led interconnectivity standards, guidelines, and best practices for precision agriculture that will promote economies of scale and ease the burden of the adoption of precision agriculture; and

(2) in carrying out paragraph (1)—

(A) coordinate with relevant public and trusted private sector stakeholders and other relevant industry organizations, including voluntary consensus standards development organizations; and

(B) consult with sector-specific agencies, other appropriate agencies, and State and local governments.

(b) **CONSIDERATIONS.**—The Secretary, in carrying out subsection (a), shall, in consultation with the Federal Communications Commission and the Director of the National Institute of Standards and Technology, consider—

(1) the evolving demands of precision agriculture;

(2) the connectivity needs of precision agriculture equipment;

(3) the cybersecurity challenges facing precision agriculture, including cybersecurity threats for agriculture producers and agriculture supply chains;

(4) the impact of advanced wireless communications technology on precision agriculture; and

(5) the impact of artificial intelligence on precision agriculture.

### SEC. 5. GAO ASSESSMENT OF PRECISION AGRICULTURE STANDARDS.

(a) **STUDY.**—Not later than 1 year after the Secretary develops standards under section 4, and every 2 years thereafter for the following 8 years, the Comptroller General of the United States shall conduct a study that assesses those standards, including the extent to which those standards, as applicable—

(1) are voluntary;

(2) were developed in coordination with relevant industry organizations, including voluntary consensus standards development organizations; and

(3) have successfully encouraged the adoption of precision agriculture.

(b) **REPORT.**—The Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that summarizes the findings of each study conducted under subsection (a).

By Mr. REED (for himself, Ms. COLLINS, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, and Ms. KLOBUCHAR):

S. 735. A bill to strengthen the United States Interagency Council on Homelessness; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Madam President, I am pleased to join Senator COLLINS and Senators VAN HOLLEN, CORTEZ MASTO, and KLOBUCHAR in introducing legislation that would permanently reauthorize the United States Interagency Council on Homelessness, the Council or USICH.

The Council was established during the Reagan administration as part of the landmark McKinney-Vento Homeless Assistance Act of 1987. Over the last three and a half decades, it has brought Agencies from across the Federal Government together to coordinate efforts to address homelessness. In 2009, the Homeless Emergency Assistance and Rapid Transition to Housing, HEARTH, Act, which I authored along with Senator COLLINS, expanded the Council's role, allowing it to work with public, nonprofit and private stakeholders to develop a national strategic plan to end homelessness. With a small budget and a small staff, the Council has helped guide Federal, State, and local stakeholders in deploying their resources in a smart, effective and coordinated fashion. The results have been evident. In the decade after USICH published its first plan, overall homelessness declined 9 percent. Family and veterans homelessness declined significantly, as well, with the total numbers dropping nearly 30 percent and 50 percent, respectively. In fact, the Council has been able to help 83 communities and three States effectively end veteran homelessness.

Even with this progress, homelessness has persisted, and we have faced a growing challenge in the wake of the COVID-19 pandemic. The Department of Housing and Urban Development's 2022 Annual Homelessness Assessment Report to Congress found that, on “a single night in 2022, roughly 582,500 people were experiencing homelessness in the United States,” while the majority of individuals experiencing homelessness were living on the street or in other unsheltered locations and were not in homeless shelters. The COVID-19 pandemic and its accompanying economic effects have also pushed homelessness rates higher in many parts of

the country. Indeed, the number of individuals experiencing homelessness increased in the majority of States between January 2020, and 2022, including a staggering 48 percent jump in my home State of Rhode Island.

USICH can help us meet this challenge by guiding how its 19 Federal member Agencies deploy and leverage their resources with nonfederal partners in order to help communities effectively address homelessness. We know that smart, coordinated investments in programs that address homelessness and increase affordable housing pay additional dividends. According to the National Alliance to End Homelessness, “Based on 22 different studies from across the country, providing permanent supportive housing to chronically homeless people creates net savings of \$4,800 per person per year, through reduced spending on jails, hospitals, shelters, and other emergency services.” In short, helping people avoid homelessness not only helps them, it can also save taxpayers money, and USICH helps make our investments to address homelessness more informed and more effective.

Indeed, the Council continues to prove that the government can work and save money in the process. That is why we should permanently authorize USICH and why organizations like the National Low Income Housing Coalition, the National Alliance to End Homelessness, the Rhode Island Coalition to End Homelessness, and HousingWorks RI have supported our bill. I urge our colleagues to join us in supporting this legislation.

By Mr. KAINE (for himself and Mr. WARNER):

S. 745. A bill to designate additions to the Rough Mountain Wilderness and the Rich Hole Wilderness of the George Washington National Forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. KAINE. Madam President, this bill authorizes additions to two existing wilderness areas within the George Washington National Forest in Bath County, VA. This text represents years of negotiation and compromise among Virginia stakeholders who rely on the GW Forest.

In many parts of America, Federal land management is controversial. Some may view these lands as repositories for timber, energy, or minerals. Others may enjoy using recreational trails through them. Others may believe that they should be left undisturbed. The truth, of course, is that all of these uses are important; the conflict lies in deciding which lands are best suited to which purposes.

In the lead-up to the latest multiyear GW Forest Management Plan, various forest users came together to see if they could find reasonable compromises that would avoid years of unproductive disagreement and litigation. This group, known as the George

Washington National Forest Stakeholder Collaborative, ultimately succeeded and made joint recommendations to the U.S. Forest Service for forest management and protection. Preservation advocates consented to timber harvesting and other active forest restoration and management in certain areas, while forest products interests consented to wilderness and light management in other areas. Following this fruitful collaboration, the Forest Service convened the Lower Cowpasture Restoration and Management Project, bringing together the collaborative and other stakeholders to help develop management activities on this particular part of GW Forest in Bath County. Everyone got some of what they wanted, and everyone gave some ground.

The collaborative has now come together to support the wilderness additions in this bill, which designates 4,600 acres to be added to the Rich Hole Wilderness Area and 1,000 acres to be added to the Rough Mountain Wilderness Area. I am proud to once again partner with Senator MARK WARNER and follow the path blazed by Senator John Warner and Representative Rick Boucher, who led the original Virginia Wilderness Act in 1984. I am also proud that this bill has passed the Senate in previous Congresses, including by unanimous consent. I will be pushing to include this bill as part of the 2023 farm bill, and I hope that we can bring this effort to the finish line soon.

Taking care of our Nation's public lands is good for the environment and good for the economy. Land disputes may often be contentious, but these efforts in the GW Forest show they don't have to be. When everyone comes to the table and invests the necessary time, we can find common ground. I hope this will be a lesson for us in other tough policy challenges, and I encourage my Senate colleagues to support this bill.

By Ms. COLLINS (for herself, Mr. KING, and Mrs. SHAHEEN):

S. 747. A bill to authorize the Secretary of Agriculture to provide grants to States, territories, and Indian Tribes to address contamination by perfluoroalkyl and polyfluoroalkyl substances on farms, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. COLLINS. Madam President, I rise today to introduce the Relief for Farmers Hit with PFAS Act. My colleague Senator KING joins me in introducing this important legislation that would assist farmers across America who have been harmed by PFAS contamination.

PFAS are a class of man-made chemicals—sometimes referred to as “forever chemicals”—that can bioaccumulate in bodies over time. They are traditionally found in nonstick pans, clothing, furniture, and fire-fighting foam and have been linked to cancer, thyroid disease, liver damage,

decreased fertility, and hormone disruption. PFAS contamination is a growing problem, and additional resources are needed to support affected communities.

In Maine, PFAS contamination affecting many different sectors, including agriculture, has been discovered over the past several years. The presence of PFAS in wastewater sludge once spread as fertilizer has prevented some Maine farms from selling their products, thus leading to significant financial hardship for these family farmers. One such farmer is Fred Stone, a dairy farmer in Arundel, ME. In 2016, Fred discovered that the milk produced on his farm contained some of the highest levels ever reported for a PFAS contaminant at that time. More recently, a dairy farm in Fairfield, ME, found PFAS levels in its milk that were 153 times higher than the State's standard.

Dairy is not the only agricultural sector affected by these harmful forever chemicals. Adam Nordell and his wife Johanna Davis, from Unity, ME, learned that PFAS had contaminated the soil and water in their organic vegetable farm, the result of sludge spread on their land in the 1990s. Tests last year showed that Adam and Johanna had levels of PFAS in their blood that were even higher than chemical plant workers who manufactured PFAS for decades and handled them daily.

Currently, USDA provides limited support through the Dairy Indemnity Payment Program to dairy farmers who have been directed to remove their contaminated milk from the commercial market. This program falls far short of meeting the growing needs of all farmers in the State of Maine. Fred Stone, the farmer who first learned of contamination in 2016, has still not been compensated adequately for the contamination he has experienced. What is more, this program helps only dairy farmers, excluding the farmers of other agricultural products who have had their livelihoods disrupted by PFAS contamination. While community organizations and the State of Maine have stepped in to provide some aid, USDA should do more to assist all farmers affected by these chemicals. That is what our legislation aims to do.

Specifically, the funds authorized by the Relief for Farmers Hit with PFAS Act could be used for a variety of purposes at the State level, including providing financial assistance to affected farmers; building capacity for PFAS testing for soil or water sources; monitoring blood for individuals to make informed decisions about their health; upgrading or purchasing equipment to ensure a farm remains profitable during or after known PFAS contamination; developing alternative production systems or remediation strategies; developing educational programs for farmers experiencing PFAS contamination; and researching soil and water remediation systems, and the viability of those systems for farms.

In addition to making new resources available, our bill would create a task force at USDA charged with identifying other USDA programs to which PFAS contamination should be added as a activity. This would help bring even more resources to farmers through existing programs. Additionally, the task force would provide technical assistance to States to help them coordinate their responses effectively.

Mr. President, USDA needs to step up and provide support to farmers, who through no fault of their own are at risk of losing their livelihoods. This is not just a problem in Maine. A recent report released by the Environmental Working Group estimated that approximately 20 million acres of crop land in the United States could be contaminated from PFAS-tainted sludge, which had been used as fertilizer.

Thus far, the Federal Government's response has failed to keep pace with this growing problem. I have urged USDA Secretary Vilsack repeatedly to come to the aid of these affected farmers, and the Relief for Farmers Hit with PFAS Act would direct the Department to help where it is needed most.

I urge my colleagues to support this bill. As the members of the Senate Agriculture Committee begin work on the 2023 farm bill, I hope that we can work together to pass the Relief for Farmers Hit with PFAS Act into law.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 101—DESIGNATING MARCH 9, 2023, AS “NATIONAL SLAM THE SCAM DAY” TO RAISE AWARENESS ABOUT PERVASIVE GOVERNMENT IMPOSTER SCAMS, AND TO PROMOTE EDUCATION TO PREVENT GOVERNMENT IMPOSTER SCAMS

Ms. COLLINS (for herself, Mr. KELLY, Mr. WARNOCK, Mr. CASEY, and Mr. BRAUN) submitted the following resolution; which was considered and agreed to:

#### S. RES. 101

Whereas hundreds of thousands of individuals in the United States are targeted by government imposter scams each year, including Social Security-related and Internal Revenue Service-related government imposter scams;

Whereas government imposter scams involve scammers contacting individuals in the United States and impersonating employees of government agencies, such as the Social Security Administration, to demand payment or personal information, which defrauds individuals of the United States and erodes trust in the government agencies that the scammers impersonate;

Whereas, since 2013, the fraud hotline of the Special Committee on Aging of the Senate has received more than 10,000 complaints from individuals in all 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, of which  $\frac{1}{3}$  were reporting possible government imposter scams;

Whereas there were more than 191,000 government imposter scams reported to the Federal Trade Commission in 2022;



Whereas the Federal Trade Commission has estimated that victims lost almost \$509,000,000 in government imposter scams in 2022;

Whereas, according to the Federal Trade Commission, in 2022, older adults reported larger median individual losses as a result of government imposter scams than younger adults;

Whereas, according to the Federal Trade Commission, in 2022, individuals in the United States reported losing more than \$104,500,000 to Social Security-related imposter scams;

Whereas, in 2022, Social Security-related imposter scams represented the largest category of complaints received by the fraud hotline of the Special Committee on Aging of the Senate; and

Whereas increased awareness of, and education about, government imposter scams help to thwart government imposter scammers: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 9, 2023, as “National Slam the Scam Day”;

(2) recognizes National Slam the Scam Day as an opportunity to raise awareness about scams that involve individuals impersonating government employees by any means, including by mail, telephone, electronic mail, or internet websites (referred to in this resolving clause as “government imposter scams”);

(3) recognizes that law enforcement agencies, consumer protection groups, telephone companies, area agencies on aging, and financial institutions all play vital roles in—

(A) preventing government imposter scams from targeting the people of the United States; and

(B) educating the people of the United States about government imposter scams;

(4) encourages—

(A) the implementation of policies to prevent government imposter scams; and

(B) the improvement of measures to protect the people of the United States from government imposter scams;

(5) encourages members of the public to—

(A) ignore solicitations from individuals falsely claiming to represent government agencies;

(B) share information about government imposter scams with family and friends; and

(C) report government imposter scams to—

(i) the Office of the Inspector General of the Social Security Administration;

(ii) the Treasury Inspector General for Tax Administration; or

(iii) the Federal Trade Commission; and

(6) honors the commitment and dedication of the individuals and organizations that work tirelessly to fight against government imposter scams.

#### SENATE RESOLUTION 102—OBSERVING THE 100TH ANNIVERSARY OF THE BIRTH OF JOHN LESLIE “WES” MONTGOMERY AND COMMEMORATING HIS CONTRIBUTIONS TO JAZZ MUSIC

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

S. RES. 102

Whereas, on March 6, 1923, John Leslie “Wes” Montgomery (referred to in this resolution as “Wes Montgomery”) was born to Frances and Tom Montgomery in Indianapolis, Indiana;

Whereas Wes Montgomery was naturally gifted in the musical arts and became pro-

ficient on the 4- and 6-string guitar in his youth;

Whereas Wes Montgomery was a self-taught musician and learned to play guitar by listening to recordings of jazz guitarist Charlie Christian;

Whereas Wes Montgomery developed a unique fingerstyle playing technique uncommon to jazz guitarists in his day, using the thumb to play bass notes simultaneously with melodic lines;

Whereas Wes Montgomery crafted diverse and unconventional rhythms that became a defining representation of bebop-style jazz guitar;

Whereas Wes Montgomery became famous after performing in jazz clubs in Indianapolis and was later recruited to tour with the Lionel Hampton Orchestra;

Whereas, in 1957, Wes Montgomery joined his brothers Buddy and Monk to perform with other bands and record music with Pacific Jazz Records;

Whereas, following the release of Wes Montgomery’s albums “The Wes Montgomery Trio” and “The Incredible Guitar of Wes Montgomery”, Wes Montgomery’s music became famous internationally, and his band traveled extensively in Europe in the spring of 1965;

Whereas, in 1967, Wes Montgomery’s album “A Day in the Life” was rated the premier album on the Billboard Jazz Albums chart, 2nd on the Billboard R&B Albums chart, and 13th on the Billboard 200 chart; and

Whereas, on June 15, 1968, Wes Montgomery passed at his home in Indianapolis: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the contributions of John Leslie “Wes” Montgomery to jazz music continue to enrich the music industry and inspire countless musicians across the world; and

(2) the legacy of John Leslie “Wes” Montgomery as a great Hoosier musician should be recognized and celebrated, especially on March 6, 2023, which marks the 100th anniversary of his birth.

#### SENATE RESOLUTION 103—RECOGNIZING GIRL SCOUTS OF THE UNITED STATES OF AMERICA ON ITS 111TH BIRTHDAY AND CELEBRATING ITS LEGACY OF PROVIDING GIRLS WITH A SAFE, INCLUSIVE SPACE WHERE THEY CAN EXPLORE THEIR WORLD, BUILD MEANINGFUL RELATIONSHIPS, AND HAVE ACCESS TO EXPERIENCES THAT PREPARE THEM FOR A LIFE OF LEADERSHIP

Ms. DUCKWORTH (for herself, Mrs. CAPITO, Mrs. FEINSTEIN, Ms. WARREN, Mrs. SHAHEEN, and Ms. ERNST) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 103

Whereas March 12, 2023, marks the 111th anniversary of Girl Scouts of the United States of America (referred to in this preamble as “Girl Scouts”), the largest and most impactful leadership program for girls in the world;

Whereas, as of 2023, more than 50,000,000 women trailblazers, visionaries, and leaders are Girl Scouts alumnae who have made the world a better place;

Whereas, in July, 2023, Girl Scouts will host its triennial convention where more than 10,000 girls, alumnae, and supporters

from across the movement will gather to explore, create, and grow alongside thousands of fellow change-makers, dreamers, and doers;

Whereas, during a time when girls are dealing with the impact of COVID-19 pandemic-related learning loss, Girl Scouts offers important out-of-school and afterschool learning enrichment and skill building opportunities that expand their world, allow them to cultivate their talents, and ensure they can confidently pursue their passions and make the world a better place;

Whereas, since its founding, Girl Scouts has emphasized public service and civic engagement and has fostered in girls a sense of community;

Whereas, during a time when girls are experiencing increased levels of anxiety, stress, loneliness, and depression, Girl Scouts continues to provide community, consistency, and connection for girls and is a safe haven in all the uncertainty;

Whereas the commitment of the Girl Scouts to getting girls outdoors, including through exciting summer camp experiences, instills a lifelong appreciation for nature and the environment that is more critical than ever as the United States emerges from the COVID-19 pandemic;

Whereas, at a time when civics education is missing from many schools, Girl Scouts engages girls of all grade levels in civics programming that deepens their understanding of democracy and government, prepares them for a lifetime of civic engagement, and motivates them to take action on issues that are important to them;

Whereas Girl Scouts offers girls 21st-century programming in science, technology, engineering, math, the outdoors, entrepreneurship, and beyond, helping girls develop invaluable life skills;

Whereas, to earn the Gold Award, Girl Scouts take on projects that have a measurable and sustainable impact on a community by assessing a need, designing a solution, completing a project, and inspiring others to sustain it; and

Whereas, as a member organization of the World Association of Girl Guides and Girl Scouts, Girl Scouts is—

(1) part of an international sisterhood of 10,000,000 girls and young women in 152 countries; and

(2) committed to offering girls more opportunities to engage with communities worldwide, make meaningful global connections, and explore global citizenship: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes Girl Scouts of the United States of America for 111 years of providing girls with a safe, inclusive, all-girl space where those girls can hone their skills and develop leadership abilities;

(2) congratulates all Girl Scouts who earned the Gold Award in 2022; and

(3) encourages Girl Scouts of the United States of America to continue to champion the ambitions, nurture the creativity, and support the talents of future women leaders.

#### SENATE RESOLUTION 104—RECOGNIZING THE HERITAGE, CULTURE, AND CONTRIBUTIONS OF LATINAS IN THE UNITED STATES

Ms. CORTEZ MASTO (for herself, Mr. MERKLEY, Mr. MENENDEZ, Mrs. FEINSTEIN, Mr. PADILLA, Mr. MARKEY, Ms. SINEMA, Mr. HEINRICH, Mr. REED, Mr. LUJÁN, Mr. VAN HOLLEN, Ms. BALDWIN, Ms. HASSAN, Mrs. MURRAY, Mr. WELCH, Mr. COONS, Ms. CANTWELL, Ms. ROSEN,



Mr. CASEY, Mrs. SHAHEEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, Mr. KELLY, Ms. HIRONO, Mr. BROWN, Mr. BLUMENTHAL, Mr. CARDIN, Mr. BENNET, Mr. BOOKER, Mr. SANDERS, Mr. KAINE, Ms. KLOBUCHAR, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 104

Whereas the United States celebrates National Women's History Month every March to recognize and honor the achievements of women throughout the history of the United States;

Whereas there are nearly 30,000,000 Latinas living in the United States;

Whereas 1 in 6 women in the United States is a Latina;

Whereas Latinas have helped shape the history of the United States since its inception;

Whereas Latinas contribute to the society of the United States through working in many industries, including business, education, science and technology, medicine, engineering, mathematics, literature and the arts, the military, agriculture, hospitality, and public service;

Whereas Latinas served as essential workers during the COVID-19 pandemic, filling vital positions that keep the economy going and the people of the United States safe;

Whereas Latinas come from diverse cultures across North America, Central America, South America, and the Caribbean, and Afro-Latinas face disparities in recognition;

Whereas Latinas are dedicated public servants, holding posts at the highest levels of the Federal Government, including the Supreme Court of the United States, Cabinet-level positions, the United States Senate, and the United States House of Representatives;

Whereas there are approximately 45,710 active duty Latinas in the Armed Forces, and the first Latina to become a general in the Marine Corps reached that rank in 2006;

Whereas Latinas are breaking the glass ceiling in science, technology, engineering, and mathematics, with the first Latina to travel into space doing so during a 9-day Space Shuttle Discovery mission in 1993;

Whereas Latinas own more than 2,000,000 businesses, and 18 percent of all women-owned companies in the United States are owned by a Latina;

Whereas Latina activists have led the fight for civil rights, including labor rights, LGBTQ rights, women's rights, and racial equality;

Whereas Latinas like Hollywood icon Raquel Welch have created award-winning art;

Whereas Latinas are recipients of Emmy, Grammy, Oscar, and Tony awards, including Rita Moreno, who earned all 4 awards between 1961 and 1977;

Whereas Latina singers and songwriters, such as Selena, Celia Cruz, Shakira, and Linda Ronstadt, have made lasting and significant contributions to music throughout the world;

Whereas Latinas serve in the medical profession, and the first female and first Hispanic Surgeon General of the United States was appointed in 1990;

Whereas Latinas serve as journalists, reporting vital news and information to the public;

Whereas Latinas are world-class athletes, representing the United States in the Olympics and other international competitions;

Whereas Latinas are paid just 57 cents for every dollar paid to White, non-Hispanic men, and Latinas will not achieve equal pay at the current rate for another 432 years;

Whereas, in the face of societal obstacles, including unequal pay, disparities in education, health care needs, and civil rights struggles, Latinas continue to break through and thrive;

Whereas the United States should continue to invest in the future of Latinas to address the barriers they face; and

Whereas, by 2060, Latinas will represent ¼ of the female population of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates and honors the successes of Latinas and the contributions they have made and continue to make to the United States; and

(2) recognizes the changes that are still to be made to ensure that Latinas can realize their full potential as equal members of society.

#### SENATE CONCURRENT RESOLUTION 5—SUPPORTING THE LOCAL RADIO FREEDOM ACT

Ms. HASSAN (for herself, Mr. BARASSO, Mr. BOOZMAN, Mr. BRAUN, Mrs. CAPITO, Ms. COLLINS, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Mr. HEINRICH, Mr. HOEVEN, Mr. JOHNSON, Mr. KING, Ms. LUMMIS, Mrs. SHAHEEN, Ms. SINEMA, Mr. SULLIVAN, Mr. TESTER, Mr. WICKER, and Mr. YOUNG) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. CON. RES. 5

Whereas the United States enjoys broadcasting and sound recording industries that are the envy of the world due to the mutually beneficial relationship that has existed among these industries for many decades;

Whereas, for nearly a century, Congress has rejected repeated calls by the recording industry to impose a performance fee on local radio stations for simply playing music on the radio, as such a fee would upset the mutually beneficial relationship between local radio and the recording industry;

Whereas local radio stations provide free publicity and promotion to the recording industry and performers of music in the form of radio airplay, interviews with performers, introduction of new performers, concert promotions, and publicity that promotes the sale of music, concert tickets, ring tones, music videos, and associated merchandise;

Whereas committees in the Senate and the House of Representatives have previously reported that “the sale of many sound recordings and the careers of many performers have benefitted considerably from airplay and other promotional activities provided by both noncommercial and advertiser-supported, free over-the-air broadcasting”;

Whereas local radio broadcasters provide tens of thousands of hours of essential local news and weather information during times of national emergencies and natural disasters, as well as public affairs programming, sports, and hundreds of millions of dollars worth of time for public service announcements and local fundraising efforts for worthy charitable causes, all of which are jeopardized if local radio stations are forced to divert revenues to pay for a new performance fee;

Whereas there are many thousands of local radio stations that will suffer severe economic hardship if any new performance fee is imposed, as will many other small businesses that play music, including bars, restaurants, retail establishments, sports and other entertainment venues, shopping centers, and transportation facilities; and

Whereas the hardship that would result from a new performance fee would hurt businesses in the United States and ultimately the consumers in the United States who rely on local radio for news, weather, and entertainment, and such a performance fee is not justified when the current system has produced the most prolific and innovative broadcasting, music, and sound recording industries in the world: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress should not impose any new performance fee, tax, royalty, or other charge—

(1) relating to the public performance of sound recordings on a local radio station for broadcasting sound recordings over the air; or

(2) on any business for the public performance of sound recordings on a local radio station broadcast over the air.

#### SENATE CONCURRENT RESOLUTION 6—EXPRESSING SUPPORT FOR THE RECOGNITION OF MARCH 10, 2023, AS “ABORTION PROVIDER APPRECIATION DAY”

Ms. HIRONO (for herself, Mr. PETERS, Mr. BLUMENTHAL, Mr. BOOKER, Mr. HEINRICH, Mr. MARKEY, Mrs. MURRAY, Mr. PADILLA, Ms. WARREN, and Mr. WYDEN) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 6

Whereas March 10 has been established as a day to show appreciation for the essential, high-quality care that abortion providers and clinic staff provide to their communities and those traveling to their communities, and to celebrate their courage, compassion, and dedication to their work;

Whereas March 10 was established in honor of Dr. David Gunn, who was killed on March 10, 1993, outside his abortion clinic in Pensacola, Florida, by a white supremacist and antiabortion extremist in the first known instance of the murder of an abortion provider;

Whereas, on June 24, 2022, the Supreme Court of the United States overturned *Roe v. Wade*, 410 U.S. 113 (1973), in *Dobbs v. Jackson Women's Health Organization*, 597 U.S. (2022) (referred to in this preamble as “the *Dobbs* decision”), reversing decades of legal precedent affirming the right to an abortion and unleashing devastation on an already precarious abortion access landscape;

Whereas, following the *Dobbs* decision, States across the country moved to further restrict access to abortion care, with not fewer than 17 States either severely restricting access to abortion care or banning abortion entirely;

Whereas, because of State abortion bans, scores of clinics in already underserved areas were forced to close and more patients were forced to travel to other States, increasing wait times at clinics, straining already thin resources, and pushing people farther and farther away from their homes;

Whereas abortion providers and clinic staff play a critical role in a world where it has become increasingly difficult for individuals to be able to make essential and time-sensitive decisions about their bodies, lives, and futures;

Whereas abortion providers and clinic staff help to ensure that all individuals who can become pregnant can make their own decisions about their bodies and their pregnancies, and support the decisions of their

patients by treating them with dignity, empathy, compassion, and respect, despite numerous challenges due to abortion bans and restrictions;

Whereas abortion providers and clinic staff play an essential role within the reproductive justice framework, which was created by 12 Black women in 1994, who determined the necessity of adopting a human rights framework that demands every person has the human right to bodily autonomy, which includes the right to choose if, when, and how to have children, and the right to parent the children they have in safe and sustainable communities;

Whereas individuals seeking abortion care across the United States also rely on the work of abortion funds and practical support organizations to access abortion care for themselves and their families;

Whereas abortion funds and practical support organizations that rely on donations face increasing demand following the Dobbs decision as individuals are forced into the vicious cycle of having to travel longer distances, find childcare or lodging, and raise money to obtain an abortion and cover associated costs;

Whereas restrictions on accessing abortion care have far-reaching consequences in both deepening existing inequities caused by white supremacy, structural racism, and systemic discrimination in the maternal health care system and worsening health outcomes for pregnant individuals, individuals giving birth, and their families;

Whereas the effects of the Dobbs decision were immediate and disastrous, with abortion being entirely banned in 12 States as of March 2023, meaning that a total of 71,000,000 individuals, or more than 20 percent of the population of the United States, live in a State where abortion is illegal;

Whereas restricting and banning access to abortion care—

(1) creates and increases the out-of-pocket costs and logistical burdens that patients face to get care to a level that is sometimes insurmountable, forcing patients to remain pregnant; and

(2) exposes the remaining abortion providers and clinic staff to increased levels of harassment and politically motivated restrictions;

Whereas the 2021 Violence and Disruption Report of the National Abortion Federation found an alarming escalation in incidents of obstruction, vandalism, and trespassing at abortion clinics, with abortion providers reporting an alarming rate of death threats and threats of harm, and documented 182 incidents in 2021;

Whereas Black, indigenous, and other providers and patients of color face heightened levels of threats, harassment, and violence as compared to their White counterparts;

Whereas the Dobbs decision has emboldened antiabortion individuals and groups to continue to harass providers and the patients they care for;

Whereas the Dobbs decision threatens the ability of abortion providers and the clinic staff who support them to serve their patients; and

Whereas in the face of multifaceted attacks on their work, abortion providers remain an essential and valued part of their communities, providing high-quality, compassionate, and necessary health care, and courageously delivering this care despite pressures, restrictions, political interference, and violent threats to their personal safety: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) recognizes Abortion Provider Appreciation Day to celebrate the courage, compassion, and high-quality care that abortion

providers and clinic staff offer to patients and their families across the United States;

(2) lauds communities across the United States who are proud to be home to abortion providers and clinic staff;

(3) affirms the commitment of Congress to ensuring the safety of abortion providers, the ability of abortion providers to continue providing the essential care their patients need, and the right of patients to access abortion care no matter where they live, free from fear of violence, criminalization, or stigma;

(4) condemns the decision of the Supreme Court of the United States in *Dobbs v. Jackson Women's Health Organization*, 597 U.S.

\_\_\_\_ (2022), which has had a devastating impact on abortion providers and the communities they care for, threatening the work and livelihoods of providers and clinic staff, and worsening the strain on providers who work in States where abortion is still available; and

(5) declares a vision for a future where access to abortion is liberated from restrictions and bans universally, and affirms the commitment of Congress to working toward this goal in partnership with providers, patients, advocates, and their communities.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have six 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 9, 2023, at 9:30 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, March 9, 2023, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, March 9, 2023, at 10 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, March 9, 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, March 9, 2023, at 10:30 a.m., to conduct a hearing.

##### SUBCOMMITTEE ON STATE DEPARTMENT AND USAID MANAGEMENT, INTERNATIONAL OPERATIONS, AND BILATERAL INTERNATIONAL DEVELOPMENT

The Subcommittee on State Department and USAID Management, International Operations, and Bilateral

International Development of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, March 9, 2023, at 10:30 a.m., to conduct a hearing.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101-509, the appointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Tanya Marshall of Vermont.

#### MOVING AMERICANS PRIVACY PROTECTION ACT

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 758, which is at the desk.

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

A bill (S. 758) to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes.

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

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 758) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 758

*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 "Moving Americans Privacy Protection Act".

##### SEC. 2. PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.

(a) IN GENERAL.—Paragraph (2) of section 431(c) of the Tariff Act of 1930 (19 U.S.C. 1431(c)) is amended to read as follows:

"(2)(A) The information listed in paragraph (1) shall not be available for public disclosure if—

"(i) the Secretary of the Treasury makes an affirmative finding on a shipment-by-shipment basis that disclosure is likely to pose a threat of personal injury or property damage; or

"(ii) the information is exempt under the provisions of section 552(b)(1) of title 5, United States Code.

"(B) The Secretary shall ensure that any personally identifiable information, including Social Security numbers and passport numbers, is removed from any manifest signed, produced, delivered, or electronically transmitted under this section before access to the manifest is provided to the public."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 30 days after the date of the enactment of this Act.

#### NATIONAL SLAM THE SCAM DAY

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 101, submitted earlier today.

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

A resolution (S. Res. 101) designating March 9, 2023, as “National Slam the Scam Day” to raise awareness about pervasive government imposter scams, and to promote education to prevent government imposter scams.

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

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

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

The resolution (S. Res. 101) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### OBSERVING THE 100TH ANNIVERSARY OF THE BIRTH OF JOHN LESLIE “WES” MONTGOMERY AND COMMEMORATING HIS CONTRIBUTIONS TO JAZZ MUSIC

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 102, submitted earlier today.

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

A resolution (S. Res. 102) observing the 100th anniversary of the birth of John Leslie “Wes” Montgomery and commemorating his contributions to jazz music.

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

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

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

The resolution (S. Res. 102) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

#### ORDERS FOR FRIDAY, MARCH 10, 2023, THROUGH TUESDAY, MARCH 14, 2023

Mr. SCHUMER. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned to convene for a pro forma session with no business be conducted at 9:30 a.m. on Friday, March 10; that when the Senate adjourns on Friday, it stand adjourned until 3 p.m. on Tuesday, March 14; that on Tuesday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day,

and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Neiman nomination; further, that the cloture motions filed during today’s session ripen on 5:30 p.m. on Tuesday, March 14.

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

#### ORDER FOR ADJOURNMENT

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator CARDIN.

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

The PRESIDING OFFICER. The Senator from Maryland.

#### INFRASTRUCTURE

Mr. CARDIN. Madam President, so many cities and towns across America have the story of a segment of highway or a railroad track that cuts ruthlessly through neighborhoods. These neighborhoods may not have been affluent, but they supported vibrant, tight-knit, supportive communities with cherished homes, schools, and small businesses.

Backed with Federal funding, these highways and other massive infrastructure projects tore these neighborhoods apart and left them an enduring legacy of exclusion and diminished opportunity. To be sure, these infrastructure projects were intended to serve a purpose, and they did serve a purpose—transportation, of a particular sort. For families who could afford a car and a house in the suburbs, highways were built to whisk people in and out of our urban downtowns, without regard for the people and the communities remaining in those downtowns.

In the most benign cases, these projects were designed without care or sensitivity to the people they left behind and excluded. In the worst cases, the outcome of suppression and exclusion of people of color was, in fact, deliberate.

It is time to confront our legacy of racism and exclusion in infrastructure development and promote the next generation of infrastructure that heals, unifies, and reconnects—an infrastructure of inclusion, not division.

Thankfully, under President Biden’s leadership and the direction of Congress, we are doing just that. President Biden has affirmed and reaffirmed his commitment to advancing equity and combating systemic racism through two Executive orders.

The first Executive order, which was signed on the first day in his office, said:

The Federal Government should pursue a comprehensive approach to advancing equity for all, including people of color and others who have been historically underserved, marginalized, and adversely affected by per-

sistent poverty and inequality. Affirmatively advancing equity, civil rights, racial justice, and equal opportunity is the responsibility of the whole of our Government.

The Executive order he signed just last month acknowledges that we have so much work to do. It says:

[M]embers of underserved communities—many of whom have endured generations of discrimination and disinvestment—still confront significant barriers to realizing the full promise of our great Nation, and the Federal Government has a responsibility to remove these barriers.

How to remove these barriers.

These barriers exist in a metaphoric sense, but sometimes they are concrete—literally. Baltimore City has dealt with the enduring legacy of its own “highway to nowhere.” This project is on the Franklin-Mulberry corridor in West Baltimore. It started as a way to get drivers out of the city quickly. Although the city never completed the project, a 1.4-mile stretch of highway contained within a concrete canyon was built and did irreparable harm to the surrounding communities: 971 homes and 61 businesses were destroyed. The project displaced approximately 1,500 people, most of them Black. And for decades, the city has lived with this eyesore and barrier to growth, opportunity, and connection.

Let me be clear. Removing barriers like highways is not simply about demolishing or removing infrastructure; it is about building the kind of infrastructure our cities and communities need—the infrastructure of connectivity and inclusion.

This means that instead of a highway for fast moving cars—or worse, an unused highway—in the case of Baltimore’s “highway to nowhere,” we need to restore neighborhood street grids, parks, sidewalks, and bike trails—the infrastructure we need to reconnect people with opportunities, with businesses, with education, and with healthcare.

I am proud that under President Biden’s leadership on equity and the surface transportation title of the bipartisan infrastructure law that the Committee on Environment and Public Works negotiated, we now have a Federal program specifically aimed at addressing the legacy of division and exclusion from past infrastructure projects and supporting a new and better future for hurt and marginalized communities. The Surface Transportation Reauthorization Act, which the Environment and Public Works Committee reported unanimously in May of 2021, includes the Reconnecting Communities Program, later included in the final Infrastructure Investment and Jobs Act.

I might say I am proud of the role that our Presiding Officer played in the development of that law, the infrastructure law, as well as Reconnecting Communities. I was proud to serve on the committee with our Presiding Officer, and we are pleased to be an integral part in making sure that legislation got to the President’s desk.

When we were negotiating the surface transportation reauthorization bill, it was not easy to convince everyone that this would be a worthy program. But just look at the overwhelming need across the country and the expressions of interest in the first round of grant awards—more than 350 applications nationwide—that far outpaced the amount of funding available.

There are so many worthy projects across the country. They never received enough planning and consideration through the Federal policy framework that existed prior to President Biden's focus on equity, the bipartisan infrastructure bill, and Reconnecting Communities.

I think the overwhelming need we are seeing across the country will strongly support the program's continuation and expansion into one of the U.S. Department of Transportation's signature initiatives.

Last month, after all the work of developing legislation and enacting it into law and standing up the program, the Department of Transportation awarded the very first round of Reconnecting Communities grants.

I am proud that after all the work on the bipartisan infrastructure law, Baltimore City was one of the first recipients of the Federal funding under the Reconnecting Communities Program. Baltimore will receive a \$2 million grant for planning, to which the State of Maryland, under Governor Moore, is adding \$400,000.

This funding is going to start an important process of planning and engagement with the people of Baltimore to develop a proposal, one that I hope will move forward in the coming years with Federal support for the construction of a project of great significance to Baltimore and its future.

This award for Baltimore and the establishment of the Reconnecting Communities Program is an important milestone in the history of our Nation's approach to infrastructure. For far too long, our national infrastructure policies contributed to tearing down communities while we built our transportation networks. With the Reconnecting Communities Program, our Federal infrastructure policy will no longer tear communities apart. Rather,

it must build up, reconnect, and support them.

With that, Madam President, I yield the floor.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 3:48 p.m., adjourned until Friday, March 10, 2023, at 9:30 a.m.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 9, 2023:

##### THE JUDICIARY

MARIA ARAUJO KAHN, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.  
JAMES EDWARD SIMMONS, JR., OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

##### DEPARTMENT OF THE TREASURY

DANIEL I. WERFEL, OF THE DISTRICT OF COLUMBIA, TO BE COMMISSIONER OF INTERNAL REVENUE FOR THE TERM EXPIRING NOVEMBER 12, 2027.