



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 118th CONGRESS, FIRST SESSION

Vol. 169

WASHINGTON, TUESDAY, JULY 11, 2023

No. 118

Senate

The Senate met at 10 a.m. and was called to order by the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia.

PRAYER

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

Let us pray.

Our Father in Heaven, continue to guide the steps of our Senators. Lift their gaze to the beckoning hills of Your help, leading them on paths that bring them to hope and away from despair.

Lord, as they journey toward justice and peace, make them satisfied to follow Your plans and fulfill Your purposes. Give them a positive attitude. As they face today's challenges, direct them to discern what is Your best for our Nation and world.

Lead kindly, light amid the encircling gloom. Guide us through the darkness of our own devices to the sure and certain destination of Your prevailing providence.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 11, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable RAPHAEL G. WARNOCK, a Senator from the State of Georgia, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Xochitl Torres Small, of New Mexico, to be Deputy Secretary of Agriculture.

RECOGNITION OF THE MAJORITY LEADER

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

ARTIFICIAL INTELLIGENCE

Mr. SCHUMER. Mr. President, for Congress to work on artificial intelligence is to enter uncharted territory. AI is not like other issues Congress deals with. It is not like appropriations or healthcare or defense, where we have decades of experience to lean on; quite the contrary, from a legislative view, we are starting very close to step 1 when it comes to AI.

So today, the Senate is taking the next step in our effort to learn about

AI so we can be ready to act. Later this afternoon, we will hold the first-ever classified all-Senate briefing on national security implications of AI. It will be our second all-Senate briefing on this issue. Close to 70 Senators attended the last one, and I hope we will get similar attendance today.

We will be briefed by Director of National Intelligence Avril Haines, Deputy Secretary of Defense Kathleen Hicks, and other top experts in AI from our defense and our intelligence Agencies.

Today's classified briefing is crucial because, of all the issues AI would impact, national security may well be the most consequential. In the hands of autocrats or foreign adversaries or domestic rogue actors interested in political chaos or financial gain, the dangers of AI could be extreme.

But AI could also become one of our greatest tools for keeping Americans safe, for predicting and intercepting attacks on the homeland and for adding unprecedented sophistication to our cyber security and for protecting our elections. So we have a responsibility—a real responsibility—to educate ourselves on these matters.

Finally, these briefings are just part of the larger effort to learn more about AI and prepare the Senate to take action. Last month, I laid out my SAFE Innovation Framework for AI, a way for Congress to balance the urgent need to promote American innovation in AI, while making sure it is done in a safe and responsible way.

Last month, I also announced that this fall I will invite the top AI experts to come to Congress and convene a series of first-ever AI insight forums for a new and unique approach to developing legislation.

There is a lot we still don't know about AI. We need outside help if we want to ensure congressional action is effective, responsible, and promotes innovation in a safe way.

So these insight forums will bring the best of the best to Congress. Our

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



Printed on recycled paper.

S2291

jobs as legislators will be to listen and learn as much as we can so we can translate these ideas into action.

And we are getting a very positive response from those we are asking to participate in the forums, top people in the field and in areas like intellectual property, like facial recognition that we need to look for guardrails.

So the positive response we are getting means that we expect these inside forums to do just what they are intended to do: yield new insights on the issue. And today's briefing likewise represents an important step in our efforts to learn as much about AI as possible.

I look forward to today's briefing. I want to thank Senator ROUNDS, Senator HEINRICH, and Senator YOUNG for their help in making them possible.

WHITE NATIONALISM

Mr. President, now, on White nationalism, for the past few months, the senior Senator from Alabama has embarked on a one-man mission to excuse and even defend the meaning of White nationalism. He did it back in May when he bemoaned efforts in our military to root out dangerous White nationalism from our records:

I call them Americans.

Those were his words, his words.

A week later, he was asked to clarify his comments, and here is how he replied:

What is a White nationalist?

You would think he would learn, from the overwhelming negative reaction he has received from one end of the country to the other—that he would learn from that reaction and might maybe modify his comments, but no.

Last night, given another chance to clear the air, he suggested that, no, White nationalists aren't inherently racist; that, yes, White nationalism is American; and that the definition of "White nationalism" is a matter of opinion.

It is hard to believe that the Senator from Alabama has to be corrected again. The Senator from Alabama is wrong, wrong, wrong. The definition of "White nationalism" is not a matter of opinion. White nationalism—the ideology that one race is inherently superior to others; that people of color should be segregated, subjected, and relegated to second-class citizenship—is racist down to its rotten core.

And for the Senator from Alabama to obscure the racist nature of White nationalism, it is indeed very, very dangerous. His words have power and carry weight with the fringe of his constituency—just the fringe. But if the fringe listens to him excuse and defend White nationalism, he is fanning the flames of bigotry and intolerance.

Last week, the gunman who killed 23 people at an El Paso Walmart was sentenced to 90 life terms in prison. He was a self-described White nationalist. The man who murdered 10 people at Tops Supermarket in my home State of

New York, in Buffalo, was a White nationalist.

And if those examples aren't clear enough, let's not forget Charlottesville, where neofascists, alt-right radicals, and far-right militias paraded through the streets, carrying torches and chanting: "Jews will not replace us." Those were White nationalists.

This isn't a joke. This is deadly serious stuff. And for a Member of the U.S. Senate to speculate about what "White nationalism" means, as if it is some benign little thought experiment, is deeply and terribly disturbing.

I urge my Republican colleagues to impress upon the Senator from Alabama the destructive impact of his words and urge him to apologize.

BUSINESS BEFORE THE SENATE

Mr. President, now, on Senate business, today the Senate will continue working to confirm two district judges and two Executive nominations. Last night, I filed cloture on four additional nominations: another circuit court judge, another district judge, a Commissioner of the EEOC, and an EPA Assistant Administrator. This sets up a busy rest of the week here on the Senate floor.

And at the same time, the Senate will continue to move forward on the annual National Defense Authorization Act, known as the NDAA. Passing the NDAA is important for many reasons: to strengthen our defense and keep our country safe, to outcompete the Chinese Government, and to give our troops well-deserved pay raises.

The NDAA has routinely been a bipartisan effort, with both sides working in good faith, and that has been the case so far this year too.

I want to thank Chairman REED and Ranking Member WICKER for moving the NDAA through committee quickly on the bipartisan cooperation. As we turn to the NDAA, I am hopeful we can come together here in the Senate on legislation related to our ongoing competition with the Chinese Government, on artificial intelligence, and perhaps some other important issues.

I hope we can see that bipartisanship continues here on the floor and that we can pass the bill quickly without being dilatory. The House is having a whole lot of trouble moving on this must needed legislation, something I believe we can and should avoid in the Senate.

Finally, as Americans' faith in the Judiciary is at an alltime low, thanks to the MAGA-majority Supreme Court, Senate Democrats will continue to move forward on legislation to restore trust in our Court. Supreme Court Justices should not be accepting lavish gifts and vacations from billionaire MAGA extremists who bankroll hard-right causes and taint our judicial system by bringing those same cases before the same judges.

The highest Court in the land must be held to equally high ethical standards. I support the efforts of Chairman DURBIN and the Judiciary Committee to advance ethics reform in committee,

and I hope we can move on such legislation in this Chamber.

SWEDEN

Mr. President, finally, on Sweden, any fear that NATO is faltering—or that it has given up completely—was put to rest yesterday after the announcement that Mr. Erdogan dropped his objections to Sweden's bid to join NATO. And this morning, Hungary's Foreign Minister said that they, too, will support Sweden's bid.

This is terrific news for the alliance. Sweden's inclusion in NATO will strengthen the alliance and expand our united front against Putin's illegal and immoral aggression war in Ukraine.

Putin thought he could divide us. He believed he could bully us into disunity, but his hopes have backfired. And today the alliance remains united and stronger than ever.

I commend President Biden and his administration for supporting Sweden's accession to NATO, and I look forward to welcoming Sweden to the alliance as soon as possible.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

NATO

Mr. McCONNELL. Mr. President, right now, President Biden and other NATO leaders are convening in Lithuania. The way I see it, there are four key objectives for this important summit: securing more Western support for Ukraine; improving NATO's own military capabilities; strengthening collective resolve against the primary threats posed by China, Russia, and terrorists; and welcoming Sweden to the alliance. I am encouraged by the progress NATO is making towards each of these objectives, but there is more work to be done.

As transatlantic leaders confer about how to help Ukraine defeat Russian aggression, it is significant they are doing so in a Baltic country—itsself once a "captive nation" subjected to decades-long Soviet occupation. The Baltics' proud history of resistance drives their active contributions to NATO and extensive contributions from their own arsenals to Ukraine's fight.

Decades after the fall of the Soviet Union, brutal Russian occupation has now found a new target, and the fate of Ukraine's resistance continues to depend on Western support. Western allies should use this week's summit to commit even more critical capabilities to tip the balance of forces in Ukraine's favor.

Time is of the essence for allies to increase production of critical munitions and to send longer range, more sophisticated, and more lethal systems to the frontlines. In this regard, I welcome President Biden's decision to provide Ukraine cluster munitions to improve its defense against Russian invaders.

However overdue, these munitions will both improve Ukraine's capability to strike Russian forces and compensate for shortfalls in standard artillery rounds. Despite vocal opposition from his own party, the President ultimately made the right call.

The fact of the matter is, Russia has been using cluster munitions for months in Ukraine. American cluster munitions have a substantially lower failure rate than the Russian munitions. And while the risk of unexploded ordnance is not zero, it is fantasy to believe that wars can be fought without risk.

Here is the bottom line: It should be up to Ukraine whether to employ these effective weapons on its own soil.

Plenty of liberals have criticized President Biden for this decision. The New York Times editorial board suggested that helping Ukraine match capabilities its aggressors are already using amounts to "a clear escalation of the conflict." The senior Senator from Vermont suggested yesterday that the President should be concerned about what "the rest of the world feels" about these weapons. Never mind that providing these capabilities to Ukraine will save lives by facilitating a counteroffensive designed to stop Russia's conscious efforts to kill civilians.

If liberals are truly concerned about civilian casualties in Ukraine, they should support giving our friends the capabilities they need to end Russia's brutal war.

The stakes are simply too high for leaders in Washington to let their own naivete and virtue signaling get in the way of reality. Ukraine's war will not be won with yard signs or hollow promises to hold Putin accountable; it will be won with weapons.

The same rules apply to future conflicts we hope to deter. Unity is important, but hard power will be decisive. On this front, NATO is making progress toward rebuilding the hard power many allies allowed to atrophy. Every member of the alliance now spends at least 20 percent of its defense budget on actual capabilities. Our allies are making progress toward spending 2 percent of GDP on defense, and more than half of the alliance should hit that goal by the end of next year. But we should agree that 2 percent is a floor, not a ceiling, for our commitments to collective defense. Our allies should invest in critical capabilities and modern systems that add to NATO's combat power, and they should revive defense industrial bases that have languished since the Cold War.

Certainly, another clear way to strengthen NATO is to welcome Sweden to the alliance. Like Finland, Swe-

den is a high-tech economy with a strong industrial base. Its leaders are committed to contributing to the alliance and are investing even more significantly in an already capable military.

I am encouraged that President Erdogan and Prime Minister Orban have agreed to support Sweden's accession, and I look forward to rapid action by the Turkish and Hungarian Parliaments.

For America's part, it is past time for the Senate to consider the National Defense Authorization Act. We have an obligation to ensure the U.S. military remains the world's preeminent fighting force, capable of deterring and defeating enemy aggression.

The Senate will have an opportunity to lead our allies by example as soon as the Democratic leader brings the NDAA to the floor.

U.S. SUPREME COURT

Mr. President, now on an entirely different matter, as I explained yesterday, an ideologically independent Supreme Court concluded its most recent term with a series of landmark rulings reaffirming fundamental constitutional principle. I would like to speak briefly today about one such example—the Court's 6-to-3 decisions striking down race-based preference in higher education admissions.

For decades, colleges and universities discriminated against bright, young applicants on the basis of the color of their skin. The practice is not just wrong but wildly unpopular with a majority of Americans.

Unfortunately, a series of misguided and increasingly confused Supreme Court precedents have allowed universities to continue this indefensible practice. Last month, that all changed. As the Chief Justice wrote for the majority, "Our constitutional history does not tolerate" the choice of race over merit.

Most Americans already knew this to be true. More than half of our Nation's history has been a steady march toward more fully ensuring the promise of the 14th Amendment: equal protection under the law. Along the way, millions of hard-working and ambitious students have hoped for a fair shake on their academic qualifications, not the color of their skin.

So last month's ruling marked an overdue and historic step. Racial discrimination has no place in college admissions. And thanks to the Court's action, more bright, young Americans will get a shot at writing their American dreams.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Republican whip.

Mr. THUNE. Mr. President, the Supreme Court finished up its term recently by releasing several decisions that did not result in the Democrats' preferred outcomes. The hysteria was instant and, unfortunately, predictable.

"Disappointing and cruel," the Senate Democratic leader chastised one decision.

"Unacceptable and indefensible" said another Democratic Senator.

"Horridifying" was another response from a Democratic Senator.

Then there was the President of the United States who said:

This is not a normal court.

Not a normal court—never mind the fact that this Court, like others before it, is composed of nine Justices duly nominated and confirmed in accordance with the Constitution, sitting and interpreting the law. Apparently, the fact that this Court has issued decisions Democrats disagree with makes this "not a normal court."

Well, here is the list of thoroughly unradical decisions that have so horrified members of the Democratic party: The Court ruled that universities cannot make admissions decisions based upon the color of someone's skin. The Court ruled that the President does not have the right to create a massive student loan forgiveness program without clear authority from Congress. The Court ruled that the First Amendment does actually protect Americans from being forced by the Government to speak messages with which they disagree.

These are the rulings that Members of the Democratic party consider "cruel and indefensible."

Continuing with the theme of Democratic hysteria, the Democratic leader said on Sunday that the Supreme Court had achieved "dangerous" and "regressive" policies "completely at odds with what the vast majority of Americans want."

Now, I am not sure he has that quite right. I know the recent decisions are at odds with what the Democratic party wants, but the vast majority of Americans do not seem to be at odds with the Court's decisions. Take the Court's decision in favor of the First Amendment. It turns out that more Americans support that decision than oppose it. The same goes for the Court's student loan decision.

Public opinion is decidedly in favor of the Court's decision ruling that the Constitution does not allow universities to make admissions decisions on the basis of race. One poll found that 52 percent of the American people approve—approve—of the Court's decision, while just 32 percent disapprove. Another poll found that 59 percent of Americans approve of the Court's decision, while just 27 percent disapprove.

It seems that the Court is a lot more in line with Americans than the Democratic party would like to think.

Let me offer a few more statistics about this supposedly abnormal court.

Let's put things in context here for just a moment.

Nearly half of the cases decided by the Supreme Court in this term were decided unanimously—almost half. That means that all of those “extreme” Republican-nominated Justices and all of the Court's Democrat-nominated Justices were in unanimous agreement almost half the time.

That is not all. At least one of the Court's so-called liberal Justices was in the majority in more than 80 percent of cases. That means that more than 80 percent of the time, at least one liberal Justice agreed with the Court's conservatives. It kind of makes the Supreme Court seem not very extreme. Eighty percent of the decisions had Justices from so-called both sides—conservative and liberal sides.

Yes, there have been a handful of decisions where all of the liberal Justices have disagreed with the majority opinion. But that is hardly unprecedented. There have been plenty of cases in previous years where most or all of the so-called conservative Justices have disagreed with the majority opinion, and I don't remember Democrats having any problems with the legitimacy of those outcomes.

Democrats' utter hysteria in the face of some pretty mainstream Supreme Court decisions could almost be amusing, but it is not, because Democrats' rhetoric and proposed response to a Supreme Court that issues decisions they disagree with has crossed a line.

Now, I completely respect Democrats' right to be upset at and disagree with Supreme Court decisions. I disagreed with quite a few myself. But there is disagreement, and then there is attempting to undermine a branch of our government. And Democrats are engaged in the latter.

Over and over, Democrats' responses go beyond disagreement or outrage at the Court's decisions and cross the line into attacking the Court's legitimacy.

A number of Democrats have gone even further, directly or indirectly calling for expanding the Court or otherwise altering it to create a Court that will rule in line with where Democrats think it should be.

It is difficult to overstate just how dangerous Democrats' rhetoric is. Democrats are not only fostering a sense of distrust about a Court that is completely legitimate in every way—save for the fact the Democrats don't like some of its decisions—that they are proposing so-called solutions that would permanently and completely destroy faith in the Supreme Court as an impartial interpreter of the law.

Do Democrats seriously imagine that their proposal to “restore faith” in the courts would do anything but further divide the American public and encourage one half of the population to regard the Court as an arm of the Democratic Party?

Do Democrats seriously think they could pack the Court with their preferred Justices and not set off a perma-

nent battle in which the party in power adds or subtracts Justices to achieve what it decides is balance?

If Democrats have their way, we will be looking at a future in which the Supreme Court is nothing but an arm of the party in power in the other two branches, with the number of Justices constantly changing to achieve the governing party's preferred outcomes.

There are names for systems of government in which the party in power controls the outcome in the courts. They are names like “dictatorship” and “despotism.” Not getting your way at the Supreme Court is a pretty poor reason to undermine our system of government. But I am starting to wonder just how well Democrats understand our system of government, given their apparent belief that the outcome should always be in their favor. That is not the way it works in our democratic Republic.

In our system of government, you win sometimes and you lose sometimes. When you lose, you fight hard to gain ground and persuade others of the rightness of your position. You do not—you do not—attempt to rig the system so the outcome will always be in your favor. Hopefully—hopefully—you do not set out to undermine faith in the system by suggesting that any outcome that you don't like is not just incorrect but illegitimate.

It is deeply disturbing that so many Democrats and Democratic leaders are participating in this campaign to attack the legitimacy of the Supreme Court. I hope—I truly hope—that cooler heads will prevail before they do permanent damage to our system of government.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Mr. President, I would like to talk for a few minutes about what is happening at the southern border.

Coming from Texas, we have a 1,200-mile common border with Mexico. That is 1,200 out of 2,000 miles of a border with Mexico, most of which has been in the midst of a humanitarian and public safety crisis for—well, for many years. But nowhere at no time has it been worse than it has been during the Biden administration.

You will recall during the COVID crisis, title 42 was issued, which is a public health order which allowed the Border Patrol to expel individuals coming across the border in certain categories—mainly adult males. Family units and children were handled differently under court orders. But title 42 went away this last spring, 2 months ago. For 3 years prior, it had allowed the Border Patrol to quickly expel migrants who had illegally crossed the southern border. With detention facilities and shelters bursting at the seams, title 42 was the only tool the Biden administration was willing to use to prevent even more chaos from unfolding.

In the weeks and months leading up to its end last spring, there was widespread fear that a post-title 42 border would look even worse than it did at the time, which was a historically bad time. Would the newly set records for illegal immigration be replaced? Would we see up to 18,000 migrants a day as the Department of Homeland Security officials once predicted? Would more law enforcement officers be removed from the frontlines in order to process and care for migrants under the flawed policies of the Biden administration?

The migration levels over the last 2 months haven't been as bad as some had expected, but they certainly have not been good either. Last week, the New York Times reported that since May 12, the average number of illegal crossings has been around 3,360. Well, that is an improvement from where we were a few months ago, but it is hardly reason to pop a champagne cork and celebrate. For one, the drop is likely seasonal, temporary. Officials and immigration experts believe many migrants are in a wait-and-see mode. They are paying close attention to the legal challenges and other migrants' journeys in order to determine their best courses of action.

That is also true of the criminal cartels that control the flow of migrants across the U.S.-Mexico border. This is a business proposition for them. They are continuing to get rich in moving people and drugs across the border, and they are taking a wait-and-see attitude to see: OK, what is public opinion going to look like? Are we going to create a backlash and even a more dramatic response by the U.S. Government or can we just sort of go slowly, and they won't notice as we gradually ramp up the numbers of migrants and drugs coming across the border?

It is also likely that many migrants are holding out for a highly sought after appointment with Customs and Border Protection through the CBP One app, as it is called. It is an app for your phone. As that wait grows longer and frustration grows higher, the decision of many to wait and to use that app in order to schedule a time to meet with Customs and Border Protection officials means that their decision to wait is likely to change. Some areas, indeed, along the border are already seeing an increase, including the Tucson sector. During the week that ended June 2, agents apprehended roughly 4,300 migrants, while 4 weeks later they apprehended 7,000—an increase of nearly 65 percent. So we can see the way this trend is headed.

We don't know what the coming weeks and months will bring, but we do know that more than 3,300 migrants are being apprehended at the border every day, which is still a very high and unacceptable number.

Back in 2019, Secretary of Homeland Security Jeh Johnson, who served under the Obama administration, reflected on his time in leading the Department of Homeland Security. He

said that every morning he would review the border apprehension numbers from the day before. He considered under 1,000 apprehensions a day to be a relatively good number and anything above 1,000 to be a relatively bad number. When the numbers were bad, he said it would put him in a bad mood for the whole day.

As former Secretary Johnson noted at the time, 1,000 migrants a day overwhelm the system. Well, fast-forward to today, and that is still true. We don't have the personnel. We don't have the facilities or the resources to manage the sort of historic levels of illegal immigration that we are seeing in a fair or humane way.

Today, we are encountering more than three times as many migrants as the CBP did on a bad day during the Obama administration, and the Biden administration is trying to celebrate, saying: Look at what we did. We brought it down to three times the unacceptable level of the Obama administration's. Unfortunately, many in the mainstream media are eating up this spin or narrative of success, and unfortunately this number represents only a portion of the migrants entering the United States each day.

Of course, there are what we have come to call the "got-aways"—migrants who are detected by cameras, sensors, and other forms of surveillance but who are not arrested or processed by the Border Patrol. You can only guess what they are up to, but clearly they do not want to encounter Federal law enforcement agents at the border.

My suspicion is, and I think it is a reasonable suspicion, that they are up to illegal activities. They are probably people who have criminal records who know they won't be allowed to come across. It probably includes a significant number of drugs that contributed to the deaths of 108,000 Americans last year alone.

These individuals, these "got-aways," could be drug traffickers, human smugglers, or they could be terrorists. There have been a number of individuals on the Terrorist Watchlist who have been detained at the southern border, and, of course, many are known gang members—MS-13—one of the most violent gangs on the planet. The truth is, we really don't know because they were able to slip into our country and disappear into the great American heartland.

Since the start of the Biden administration began, Customs and Border Protection has logged 1.5 million known "got-aways." Those are the people who have been detected by sensors or cameras or others but have been unable to be apprehended by the Border Patrol—1.5 million. Again, these are people more likely than not to be engaged in some sort of illegal or dangerous activities. That is in addition to the 5.4 million illegal border crossings since the start of the Biden administration. So you have to add the acknowl-

edged number, which is 5.4, with the unacknowledged "got-aways," and that is obviously almost 7 million migrants.

The post-title 42 drop in border crossings doesn't just ignore those who snuck into the United States but also those the Biden administration simply waved through the turnstile. Now, this is another way of hiding the ball or cooking the books to make it look like the situation at the border has vastly improved when it has not.

Earlier this year, the Biden administration rolled out a new plan that allowed migrants from four nations—Cuba, Haiti, Nicaragua, and Venezuela—to remain in the United States for up to 2 years and receive a work authorization.

Before this hat trick that the Biden administration performed, those individuals were treated like every other migrant and were subject to being removed under title 42 or were subject to other immigration enforcement measures, but now, because of the wave of the wand, the magic wand, 360,000 individuals from Cuba, Haiti, Nicaragua, and Venezuela have been subtracted from that top-line number because what was illegal is now, due to the sleight of hand by the Biden administration, presumably legal. All they have to do is to submit their information online before crossing the border and wait for the administration to give them the green light.

So instead of making the situation better, the Biden administration has taken 360,000 individuals from Cuba, Haiti, Nicaragua, and Venezuela and welcomed them with open arms. This isn't a small program that is limited to the most vulnerable individuals; it is open to 30,000 individuals a month.

Of course, the Biden administration took this major step without consulting with Congress. It acted unilaterally to offer work status to up to 360,000 people a year.

We have talked about this before, but it is worth remembering that the Border Patrol says illegal immigration is a combination of push factors and pull factors. The push factors are things like poverty and violence, the desire for a better life, and we certainly all understand that. But the pull factors for illegal immigration are incentives that are provided to the migrants to come to the United States, whether they be social welfare benefits or, in this case, work permits.

Instead of making things better in reducing the number of migrants by enforcing the law, the Biden administration is offering additional incentives for people to migrate from these four countries into the United States because, lo and behold, they will get a work permit.

Of course, there is no situation as to what happens to these individuals 2 years on; this is a 2-year provision. And rest assured, if the Biden administration were still to be in charge, there would never ever be any effort to try to return individuals who overstay after

their 2 years are up. These are individuals who likely will remain in the United States for the rest of their lives under this new wave of the wand by the Biden administration.

This new policy lets the administration roll out the welcome mat. That is one of those pull factors encouraging people to make the dangerous journey in the hands, in the custody, of some of the most dangerous people on the planet—these criminal cartels. This policy lets the administration roll out the welcome mat for tens of thousands of migrants while making it seem like the numbers have gone down. They say, "Look, the top line is down," but they don't tell you that they have taken people out of that category and welcomed 360,000 migrants a year from these four countries. That is cooking the books where I come from.

When you look at the total number of migrants encountered at the border during any given month, these migrants are not included in the total. For example, in May, Customs and Border Protection reported more than 204,000 border crossings, but they didn't include the 30,000 migrants who were admitted under the administration's new wave of the wand or the potentially tens of thousands of "got-aways" who were up to no good because they had simply evaded the Border Patrol and law enforcement.

Still, the Biden administration has tried to claim victory when it comes to the border when its policies have been a demonstrable, abject failure. Three times more migrants are currently being encountered at the border than Jeh Johnson, the Secretary of Homeland Security under the Obama administration, said would be a real problem—more than three times more—and the trend line shows that number going up and up and up.

I just think the Biden administration is not being honest with the American people. I am sure Director Mayorkas is patting himself on the back with some of the stories that are being printed, saying: Well, the problem has been resolved. Title 42 went away, but the number didn't skyrocket even higher.

I am sure he is more than happy with only about 3,600 coming across the border, together with the "got-aways," under the magic trick by which people who previously would have been considered to have illegally entered the country are then deemed legal by the Biden administration.

In May, the Department of Homeland Security said the drop in numbers is proof "the administration's plan is working as intended." And I can tell you exactly what that plan is. It appears our Democratic colleagues are using the same playbook that President Obama used to create deferred action for childhood arrivals. Those are the Dreamers, the young people who came to the United States as children who were then unilaterally given deferred action for childhood arrivals, or DACA, as we frequently call it.

Step 1, the President acts outside of his legal authorities to extend status to a massive population of undocumented immigrants. He is applauded by the left for taking the action even though it is based on the shakiest of legal grounds, which, by the way, has been held illegal by a Federal district judge in the Southern District of Texas.

To take from that same Obama DACA—or Dreamers'—playbook, the Biden administration's step 2 watches more and more people take advantage of the program as lawsuits are brought against the government.

The debate will wind its way through the courts as tens or even hundreds of thousands of people put down roots in the United States, which is where we are now. And step 3 will come later down the road.

Mr. President, I used to, at one point, just think this was mere incompetence, but now I think it is actually part of a plan because we have seen this play out before, and we know where this ends.

So step 3 will come later down the road. At that point, the individuals who came to the United States through this program will likely have been here for many years. They will have jobs, homes, probably even American-citizen children. Our Democratic colleagues will then point to them and say it is unfair for them to live in a second-class status so we need to provide an amnesty so that they can enjoy the benefits of full American citizenship. They will say it will be cruel to force these individuals to return to their home countries after years of living and working in the United States, and they will frame anyone who refuses to go along as just plain heartless.

So we have seen this movie before, and I can guarantee you that migrants who enter the United States under this new, made-up program of the Biden administration will experience the same level of uncertainty and fear as the DACA recipients currently are. Their legal status is the result of Executive overreach. And as legal challenges are considered, these individuals will be left to wonder whether they will be able to remain here in the United States.

For a party that talks so much about compassionate immigration, this is not compassionate. It is cruel and manipulative and dishonest. The Biden administration is cooking the books in order to make the American people think the border crisis isn't so bad after all. It is deceiving migrants by offering legal status that the Biden administration has no authority to offer, and it is unfair to the individuals who follow the law and who are naturalized as American citizens each year.

I have said it before; I will say it again. We should celebrate the fact that we are a nation of legal immigrants. It is what has made our country so strong and resilient and prosperous. But what is happening at the border is not legal immigration; it is

simply hiding the ball, pretending that things aren't so bad, and hoping that the press will move on to look at something else.

And it is unfair to those migrants, to those immigrants, to those would-be American citizens to say: I am sorry; we can't process your legal immigration application because we are too busy taking care of this flood of humanity coming across the border through these made-up programs like the Biden administration is foisting on the American people. And, of course, finally, it is setting the table for another battle over how to handle a massive population of immigrants with legally dubious immigration status.

So, Mr. President, it may appear superficially that the Biden administration is making progress on the border crisis, but it is just an illusion. It is deception. It is manipulation. It is dishonest. And it won't last forever. So the simple answer, as the Presiding Officer knows, is that at some point things are going to get so bad that we are actually going to have to do the hard work. After all, immigration law is Congress's prerogative and bailiwick.

But as long as the Biden administration can take a crisis at the border with title 42 in place—once it expires—and substitute essentially a green light for anybody and everybody who wants to come to the United States outside of a legal immigration process, they are going to say: What problem? We don't have a problem at the border.

Meanwhile, States like mine continue to experience a flood of humanity coming across, overwhelming not only the capacity of Border Patrol to deal with it but diverting those resources away from their primary job, which is to enforce the law, including our drug laws.

Again, I don't know what it is going to take. Almost 7 million migrants during the Biden administration's tenure—that doesn't seem to bother them. What about the 108,000 Americans who died last year due to drug overdoses—71,000 of those from synthetic opioids like fentanyl.

I have been in very emotional settings with parents who have lost their children because they thought they were taking a Percocet or a Xanax or some other more relatively innocuous pharmaceutical drug, when, in fact, it was laced with fentanyl, and they didn't wake up the next morning. These parents are distraught at losing their child who had so much potential and such a wonderful future, only to be killed because the administration is unwilling to do what it should do to be able to stop more of those drugs, including synthetic opioids, from making their way across the border. But apparently that is not enough: 7 million border encounters, 108,000 dead Americans.

We know where the drugs are coming from, and we know how to do a better job of stopping it, but the Biden administration looks the other way. And now we will talk more about this. The facts

are coming into view with the 300,000 unaccompanied children whom the Biden administration has welcomed into the United States. And once they are placed with sponsors—people who are maybe not even their family members—they simply say: We are done. We have no responsibility.

The New York Times and other established news organizations have reported these children are subject to labor exploitation, recruitment into gangs, being neglected or abused. And the Biden administration said: It is not our responsibility. Once these children are placed with sponsors—300,000 of them—we have nothing left to do.

Well, as I said, we will talk more about that later, but we do know that in 85,000 of those cases, when Health and Human Services, the Office of Refugee Resettlement that is responsible for getting the sponsors—in 85,000 of those 300,000 cases, when the U.S. Government official calls the sponsor to check in on that child, there is no answer—no answer at all.

I think this constitutes abandonment of these children who are welcomed into the United States as unaccompanied children, placed with sponsors, then simply abandoned by the U.S. Government—unacceptable. If you were to do that with an American citizen child, you would be in prison. You would be charged and convicted of child endangerment or worse. But that is what the Biden administration is doing almost on a daily basis, and it needs to be held to account.

The PRESIDING OFFICER (Mr. PADILLA). The Senator from Delaware.

Mr. CARPER. Mr. President, I ask unanimous consent that I be permitted to speak for 5 minutes and that Senator STABENOW be permitted to speak for 5 minutes prior to the scheduled votes.

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

NOMINATION OF KOCHITL TORRES SMALL

Mr. CARPER. Mr. President, it is good to see you, and it is good to see my colleague JOHN CORNYN here in the Senate today, all the pages, and folks who came back to go to work. There is a lot of work to do.

One of the first items of business before us is a critical nomination, a nomination for the Department of Agriculture—and not just any job at the Department of Agriculture but the No. 2 job, the Deputy Secretary of Agriculture.

The person who has been nominated is a woman who serves currently as the Under Secretary at the Department of Agriculture, and she has been nominated to be the Deputy Secretary for the Department. She has a hard name to pronounce, and it is a name I have never seen before. It sounds something like this: So-cheel, like S-O, cheel, like C-H-E-E-L. You look at it down on paper, and you say: How would you pronounce that name? That is the way to pronounce it.

But the rest of her name is Torres Small. She is somebody I have known

for a relatively brief period of time. You know who knows her really well? It is a guy who used to serve with us for many years, a Senator from New Mexico, Tom Udall. In fact, as I recall, I think she actually worked for Tom Udall when he was a U.S. Senator.

Agriculture is a hugely important part of our economy in Delaware. I see Senator STABENOW is going to speak immediately after me. I know it is hugely important in Michigan. As she is the chairman of the Ag Committee, she knows that much better than I do.

The Department of Agriculture, the No. 2 job—huge industry, important in every State in our country. This is a big deal. This is a big deal. As it turns out, the administration has given us a terrific nominee.

The Department of Agriculture plays a critical role in ensuring that people from every corner of this country have something to eat—hopefully, something nutritious to eat—and also helps us with respect to farming and farming agriculture and farming economy, public health, broadband, and a whole lot more.

And the role of the Deputy Secretary of the Department is a big deal, a very big deal. It requires someone who is diligent. It requires someone who is sharp. It requires someone who ultimately understands the Department. It is a big department. It requires someone who is diligent, and I know that Under Secretary Torres Small possesses all of those qualities and a whole lot more. In her current position as the Under Secretary of Agriculture for Rural Development, she has been involved with every function of the Department, including overseeing the deployment of \$2 billion for rural broadband that was secured in the bipartisan infrastructure law that we passed here by almost a unanimous vote more than a year ago.

This month, we saw States across our country receive this significant funding to expand broadband access for literally millions of people in many parts of our Nation—rural parts of our Nation—including Delaware's own Sussex County, one of the largest counties in the country. We only have three counties in Delaware. The second largest is Sussex. It is one of the top counties in the country for growing corn and soybeans, and it is one of the top counties in the country for growing chickens. We have, in Delaware, over 200 chickens for every person. So it is a big deal for us, big deal for us.

Prior to serving at the Department of Agriculture, Under Secretary Torres Small has had a history of serving her country. She was a U.S. Representative for New Mexico's Second Congressional District, where she grew up as—get this—a granddaughter of farmworkers.

As a U.S. Representative, she served as a member of the House Agriculture Committee, among other committees, and previously spent time on the ground in New Mexico, as I mentioned earlier, as a field rep for our old friend

and colleague Senator Tom Udall, who is now the U.S. Ambassador to New Zealand.

I talked to him about a month ago, and, I say to Senator STABENOW, he thinks he has the best job on the planet. If the Senator talked to him, she will know what I mean.

But Xochitl is also an accomplished attorney, practicing water and natural resources law, and served as a former clerk in the U.S. District Court for a fellow named Judge Robert C. Brack. All these experiences help make her well suited to take on the role of Deputy Secretary because I know that she understands our Nation and understands this on a human level as well.

That was made especially clear during her nomination hearing. Under Secretary Torres Small spoke of her goals to better communicate through the role of the Department across our country so that programs are deployed more efficiently, more effectively, more humanely. She also highlighted how she will work to support underserved producers and small farmers by raising awareness of the Federal resources that they may be eligible for.

So, in closing, before yielding to Senator STABENOW, I strongly urge our colleagues to confirm Under Secretary Xochitl Torres Small as the Deputy Secretary for the Department of Agriculture. She will make us proud. She will make New Mexico proud. She will make our country proud.

With that, I will just stop talking and yield the floor to Senator STABENOW.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I have to first note—and I appreciate so much Senator CARPER's comments—but from the smallest State that claims agriculture to our distinguished Presiding Officer from the largest State that has agriculture, to my State of Michigan, which is second only to California in the diversity of crops that we grow, I think we all stand here committed to the importance of growing things in America, this economic engine, supporting small towns, supporting rural development and quality of life.

So I am really pleased, as chair of the Agriculture, Nutrition, and Forestry Committee, today, to know that we will be confirming Xochitl Torres Small as the Deputy Secretary of Agriculture. Ms. Torres Small's impressive and wide-ranging resume makes her an ideal appointee to help lead the more than 100,000 public servants at the U.S. Department of Agriculture, and they are stationed in over 4,500 locations all across the country and all across the world.

Her predecessor in this role, Jewel Branaugh, was instrumental in helping to restore one of the Department's key functions: serving our constituents on the ground in the communities in which they work, live, and farm. A trailblazer like Ms. Torres Small, Ms.

Branaugh was the first woman of color to hold the Deputy position at the USDA, and we very much appreciated her leadership. I have every confidence that Ms. Torres Small is up to the important task and will lead with great skill and competence.

The granddaughter of farm workers, Ms. Torres Small grew up in the borderlands of New Mexico. She began her career working for Senator Tom Udall, clerking for a U.S. district court judge, and practicing water and natural resources law.

Ms. Torres Small was the first woman and first person of color to represent New Mexico's Second Congressional District, which is the fifth largest district in the country.

She has most recently served as the Under Secretary for Rural Development, a position to which she was confirmed unanimously by the Senate just 2 years ago. As Under Secretary, Ms. Torres Small proved herself to be a staunch advocate for rural communities.

It was through her leadership that USDA Rural Development secured \$2 billion to support rural broadband through the bipartisan infrastructure law, making USDA the first Federal Agency to invest these funds in physical infrastructure for high-speed internet. I want to stress that they were the first dollars out the door in terms of taking dollars to small communities across the country for critically needed high-speed internet. By moving swiftly to make rural development funding available, USDA reduced energy costs for farmers and small businesses.

Last year, Congress made the largest investment in rural electric since the New Deal. Under Ms. Torres Small's stewardship, USDA has been a leader in delivering those benefits to our local communities. She worked tirelessly to increase rural communities' access to programs and improve customer services at regional offices across the country. And, importantly, she championed USDA's workforce, improving staff morale and building out data and technology.

Ms. Torres Small enjoys broad support from over 80 stakeholders, including the American Farm Bureau Federation, National Farmers Union, National Council of Farmer Cooperatives, National Grocers Association, Western Growers, National Association of State Departments of Agriculture, U.S. Apple Association, the Rice Association, and on and on, as well as the Congressional Hispanic Caucus.

I am also pleased that Ms. Torres Small enjoys broad support in this Chamber, and she was advanced unanimously out of our committee.

The role of Deputy Secretary of Agriculture is not only critical to overseeing the Department's efforts to improve its workforce but also improving customer service, which I know she is laser-focused on. The Deputy Secretary position is also vital to our work as we continue to draft a bipartisan farm bill.

Ms. Torres Small's confirmation is a great opportunity for the Senate to show that we can work together in a bipartisan manner.

Ms. Torres Small has a proven track record as a strong leader with deep knowledge of farm, food, and rural policy. I know she will serve the Department and the American people well in her new position, and I urge my colleagues to support her confirmation.

I yield the floor.

VOTE ON TORRES SMALL NOMINATION

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

Ms. STABENOW. 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. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Maine (Mr. KING), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Nebraska (Mr. RICKETTS), the Senator from Alaska (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

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

The result was announced—yeas 84, nays 8, as follows:

[Rollcall Vote No. 174 Ex.]

YEAS—84

Baldwin	Gillibrand	Murray
Bennet	Graham	Ossoff
Blumenthal	Grassley	Padilla
Booker	Hagerty	Peters
Boozman	Hassan	Reed
Braun	Heinrich	Risch
Britt	Hickenlooper	Romney
Brown	Hirono	Rosen
Budd	Hoeven	Rounds
Cantwell	Hyde-Smith	Sanders
Capito	Kaine	Schatz
Cardin	Kelly	Schumer
Carper	Kennedy	Scott (SC)
Casey	Klobuchar	Sinema
Cassidy	Lankford	Smith
Collins	Lee	Stabenow
Coons	Lujan	Tester
Cornyn	Lummis	Thune
Cortez Masto	Manchin	Tuberville
Cotton	Markey	Van Hollen
Cramer	Marshall	Warner
Crapo	McConnell	Warnock
Cruz	Menendez	Warren
Daines	Merkley	Welch
Duckworth	Moran	Whitehouse
Ernst	Mullin	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	Young

NAYS—8

Blackburn	Paul	Scott (FL)
Hawley	Rubio	Vance
Johnson	Schmitt	

NOT VOTING—8

Barrasso	King	Sullivan
Durbin	Ricketts	Tillis
Fetterman	Shaheen	

The nomination was confirmed.

The PRESIDING OFFICER. 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.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 56, Rosemarie Hidalgo, of the District of Columbia, to be Director of the Violence Against Women Office, Department of Justice.

Charles E. Schumer, Ben Ray Lujan, Peter Welch, Tina Smith, Tammy Duckworth, Tim Kaine, Richard J. Durbin, Alex Padilla, Raphael G. Warnock, Christopher Murphy, John W. Hickenlooper, Catherine Cortez Masto, Tammy Baldwin, Benjamin L. Cardin, Edward J. Markey, Jack Reed, Mazie Hirono.

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

The question is, Is it the sense of the Senate that debate on the nomination of Rosemarie Hidalgo, of the District of Columbia, to be Director of the Violence Against Women Office, Department of Justice, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Maine (Mr. KING), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Nebraska (Mr. RICKETTS), the Senator from Arkansas (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted "nay."

The yeas and nays resulted—yeas 50, nays 42, as follows:

[Rollcall Vote No. 175 Ex.]

YEAS—50

Baldwin	Cortez Masto	Klobuchar
Bennet	Duckworth	Lujan
Blumenthal	Feinstein	Manchin
Booker	Gillibrand	Markey
Brown	Graham	Menendez
Cantwell	Hassan	Merkley
Cardin	Heinrich	Murkowski
Carper	Hickenlooper	Murphy
Casey	Hirono	Murray
Collins	Kaine	Ossoff
Coons	Kelly	Padilla

Peters	Sinema	Warnock
Reed	Smith	Warren
Rosen	Stabenow	Welch
Sanders	Tester	Whitehouse
Schatz	Van Hollen	Wyden
Schumer	Warner	

NAYS—42

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

NOT VOTING—8

Barrasso	King	Sullivan
Durbin	Ricketts	Tillis
Fetterman	Shaheen	

(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER (Mr. LUJÁN). On this vote, the yeas are 50, the nays are 42.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Rosemarie Hidalgo, of the District of Columbia, to be Director of the Violence Against Women Office, Department of Justice.

Thereupon, the Senate proceeded to consider the nomination.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:18 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. LUJÁN).

EXECUTIVE SESSION—Continued

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 33, Kimberly Kathryn Evanson, of Washington, to be United States District Judge for the Western District of Washington.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Christopher A. Coons, Benjamin L. Cardin, Tina Smith, Christopher Murphy, Mazie K. Hirono, Tammy Baldwin, Margaret Wood Hassan, John W. Hickenlooper, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Gary C. Peters, Alex Padilla, Michael F. Bennet.

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

The question is, Is it the sense of the Senate that debate on the nomination of Kymberly Kathryn Evanson, of Washington, to be United States District Judge for the Western District of Washington, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Maine (Mr. KING), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Nebraska (Mr. RICKETTS), the Senator from Alaska (Mr. SUL-LIVAN), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from North Carolina (Mr. TILLIS) would have noted "nay."

The yeas and nays resulted—yeas 51, nays 42, as follows:

[Rollcall Vote No. 176 Ex.]

YEAS—51

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

NAYS—42

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

NOT VOTING—7

Barrasso	Ricketts	Tillis
Durbin	Shaheen	
King	Sullivan	

The PRESIDING OFFICER (Mr. WELCH). On this vote, the yeas are 51, the nays 42.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Kymberly Kathryn Evanson, of Washington, to be United States District Judge for the Western District of Washington.

Thereupon, the Senate proceeded to consider the nomination.

RECESS UNTIL 4 P.M. TODAY

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

Thereupon, the Senate, at 3:18 p.m., recessed until 4 p.m. and reassembled when called to order by the Presiding Officer (Mr. WELCH).

EXECUTIVE SESSION—Continued

The PRESIDING OFFICER. The Senator from Texas.

UNANIMOUS CONSENT REQUEST—H.R. 538

Mr. CRUZ. Mr. President, many Americans remember waking up on Saturday morning to watch their favorite cartoons, including shows like "The Jetsons." As I look at the Senate pages who are here, I suspect none of them have any memory of "The Jetsons." For those who are under 40 in the Chamber or who are watching at home, "The Jetsons" was a futuristic cartoon that was set in the year 2062, and it depicted a family from the future who had fun, imaginative technologies, like jet packs and holograms and video calls and robot vacuums and smartwatches and flying cars. While we are still waiting to see those flying cars in the air, we already have a lot of "The Jetsons'" technology available to us now—in many cases, even better than what was depicted in the cartoon show.

Today, internet-connected smart devices are commonly used in American households. Light bulbs, mirrors, air fryers, coffee makers, trash cans, kitchen faucets, refrigerators, and more are all becoming smart, and we are able to control them with our phones or voice commands. A lot of that is really cool. It is expected that, in a few years, nearly 70 percent of American households—more than 80 million households—will own at least one smart home product. This is, by and large, a good thing, as smart devices can help us improve our quality of life and complete daily tasks more easily.

But, with any technological advancement, there can be tradeoffs, and for smart devices, one of the potential tradeoffs is our privacy. In Texas, we have become very aware of that cost. In the past few years, smart thermostats have allowed electric companies to control the temperature in your own home, from afar, in the name of conserving energy.

Furthermore, a lot of Americans don't realize or expect that the growing number of smart household devices and appliances have cameras on them and microphones that can surreptitiously record families and transmit data. In other words, when you are buying a new refrigerator, you don't expect your fridge to record you or listen to you or to spy on you without

your knowledge. And, while some manufacturers have responsibly taken steps to more clearly label their products and to let consumers know they contain listening devices or cameras, others have not.

So I have introduced bipartisan legislation, which I authored alongside Senator CANTWELL of Washington, a Democrat and the chairman of the Commerce Committee. I am the ranking member of the Commerce Committee. Our bipartisan legislation would simply ensure that this information is clearly communicated to consumers so that you are informed before you buy a product that is going to photograph you or film you or record you, so that it doesn't happen against your wishes and without your knowledge.

Now, I expect, in a minute, we are going to hear opposition to my bill—opposition focused on the proposition that any mandate put on a private company is somehow a burden. And it is a mandate to require your refrigerator manufacturer to tell you if your fridge is spying on you. Now, I am sympathetic to the problem that there are too many mandates from government and that many of the mandates are unnecessary and burdensome and costly, but requiring a manufacturer to tell you if they are spying on you does not fall into that category.

And I have to say, in assessing the minimal burden—the disclosure burden—against the harm, I fall down on the side of individual liberty. I fall down on the side of privacy. I don't think the American people want their air fryer spying on them, and, at a minimum, they have the right to know if their air fryer is spying on them.

Now, I would note that my colleagues on both sides of the aisle agree. The Presiding Officer today serves on the Commerce Committee. This legislation passed the Commerce Committee by voice vote, with bipartisan support from both sides of the aisle. This should be a simple, easy, pro-privacy step to protect consumers.

For that reason, as in legislative session, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of H.R. 538 and that the Senate proceed to its immediate consideration; further, that the Cruz-Cantwell substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object, far too often, Congress operates under the delusion that we know what is best for the American consumer. Instead of allowing market participants to determine the information they want, we seek to manipulate the free market to impose our preferences on private actors.

As I am sure my colleague will readily agree, the Federal Government is far too large in size and scope. In this case, the additional Federal regulation and the associated potential penalties and costs are not appropriate. This is not a case of industry committing fraud or making willful misrepresentations about their products. This bill simply mandates what manufacturers must tell consumers because it assumes that consumers are not sophisticated enough to make the judgment themselves.

If American consumers want more information about a product, they can be sure they will make it known. If a manufacturer wants to sell more of their products, you can be sure they will listen to the consumers. Congress doesn't need to insert itself into every equation.

I object.

The PRESIDING OFFICER. Objection is noted.

The Senator from Texas.

Mr. CRUZ. Mr. President, I have listened to the objections of my friend from Kentucky, and I use that word as many do on this floor, although he is not listening to my response, but that is his choice.

The first time I ever spoke on the floor was in support of Senator PAUL's filibuster in 2013. Senator PAUL is fond of telling his constituents that he is a libertarian, that he defends privacy. I am not quite a libertarian. I am a conservative, but I have strong libertarian leanings. And I want to note the irony that Senator PAUL, who has devoted his entire public career to defending liberty and defending privacy, just objected to protecting the privacy of over 300 million Americans. He just objected to Americans knowing whether they are being spied on at home. I have to admit it is truly flabbergasting.

I would like to invite my colleague Senator PAUL to join me in front of a gathering of libertarians, and let's discuss with libertarians which side of the aisle you want to be on. Do you want to be on the side of Big Business' surreptitiously tape-recording, photographing, and videotaping you in your home or in your bedroom without your knowing about it or is a mild and nominal disclosure requirement simply saying, "If you are going to tape-record someone or videotape them in their house, you have got to tell them," a justifiable burden?

I hope that, in time, reason will prevail, because we ought to be protecting privacy. This is a bill whereby, if we vote on it on the Senate floor, I am confident the vote would be 99 to 1. I am confident that every Senator except the Senator who just objected would support this bill. Protecting people's privacy is a good idea, and I hope the Senate can get there as a body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATIONS OF TIFFANY M. CARTWRIGHT AND KIMBERLY KATHRYN EVANSON

Mrs. MURRAY. Mr. President, I come to the floor today to urge my colleagues to confirm two excellent judicial nominees to the U.S. District Court for the Western District of Washington: Tiffany Cartwright, whom President Biden first nominated well over a year ago, and Kimberly Evanson, also nominated last year.

I am proud to say I recommended both of these women after they were vetted and endorsed by a nonpartisan judicial merit selection committee made up of Democratic and Republican legal experts. In fact, since 2021, the Senate has confirmed five judges to the Western District, each of whom were strongly supported by the same committee. And with Ms. Cartwright and Ms. Evanson, it is clear to me they have done it again.

These are two incredibly well-qualified nominees, with records which show they have an expert understanding of our laws, a passion for justice and fairness for everyone, and an appreciation for how their decisions will affect the lives of people across Washington State.

Tiffany Cartwright grew up in Kitsap County in Washington and received her law degree from Stanford University. She has clerked on both the Alaska Supreme Court for Justice Dana Fabe and the Ninth Circuit Court of Appeals for Justice Betty B. Fletcher, and today she is a partner at a leading civil rights firm in the Pacific Northwest.

As a trial lawyer in Seattle, Ms. Cartwright has established herself as a preeminent civil rights attorney, dedicated to ensuring our laws are faithfully executed on behalf of the people they are meant to defend. She has represented employees who faced discrimination in the workplace, farmworkers who were denied the overtime they had earned, voters seeking to ensure that their vote was counted, and the families of victims of police misconduct.

She has argued cases in State and Federal court, including before the Washington Supreme Court, and also has earned the support of law enforcement officers, including a Washington State corrections officer, an ATF special agent, both of whom spoke to her dedication to their cases and her commitment to justice.

For 6 years, Ms. Cartwright also served on the local Rules Committee of the Federal Bar Association for the Western District of Washington, offering her unique expertise to consider some of the region's thorniest legal issues.

She also served on the board of directors for Legal Voice, an organization that is focused on women's rights.

Ms. Cartwright is a tested and proven civil rights attorney, with extensive Federal court experience and a track record of seeking justice for people who have faced discrimination, police misconduct, and more. Importantly, she is someone who will apply the law fairly and impartially and will make an excellent addition to the bench in Washington State, as will Kimberly Evanson.

Ms. Evanson was raised by two Washington State public school teachers and has dedicated her career to serving the State.

After attending law school in Georgetown and clerking for Judge Emmet Sullivan on the U.S. District Court in the District of Columbia, she returned home to Washington State where she has practiced law for many years with distinction.

Throughout her career, Ms. Evanson has earned the respect of her peers and her opposing counsel through her work on cases of public importance.

As a partner at Pacifica Law Group, she has represented State, municipal, private, and nonprofit clients on a range of complicated legal issues.

In her work in Seattle, she regularly advises clients on constitutional and statutory questions around the First Amendment, complaints under the Americans with Disabilities Act, and more, not to mention her pro bono work. She has lent her time, services, and expertise to the Seattle Clemency Project and the Western District of Washington's Federal Civil Rights Legal Clinic to provide legal counsel in cases involving access to justice, employment discrimination, housing discrimination, and more.

The ABA has rated her "well-qualified," and it is easy to see why. She has shown she has the expertise to work through the most complicated legal matters and the compassion to understand the stakes of these matters for people's everyday lives, all of which will serve her and the people of Washington State well on the bench of the Western District.

The people of Washington State deserve a court system that delivers justice for everyone, not just the powerful and well connected. They deserve judges who will carefully review each case on the merits and show respect for the law and everyone who appears before them. Based on their records of service in my State, I believe those are exactly the kind of judges that Ms. Cartwright and Ms. Evanson will be.

These appointments are well-deserved, and confirmation is well overdue. So I urge my colleagues to join me in voting for these highly qualified nominees. And I was pleased to see that both of them received bipartisan support in the Judiciary Committee. I hope to see that continue here on the Senate floor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I am pretty sure I am joining my colleague from Washington, who probably just spoke on the same subject, but I come to the floor to support the nominations of two very exceptional nominees to serve as judges for the U.S. District Court for the Western District of Washington.

Kimberly Evanson, born and raised in our State, grew up in Grays Harbor County before attending Tacoma High School in Tacoma. She attended Seattle University and went on to graduate from Georgetown University Law Center.

Nearly her entire legal career has been spent in the Western District of Washington and the district in which she will serve, if confirmed. She has nearly 15 years of experience with constitutional and Federal law procedure, making her—as the American Bar Association said—“well-qualified” for the Federal bench.

Ms. Evanson has dedicated her free time to supporting her community through volunteer work, and since 2013, she has been a regular volunteer with the Western District of Washington's Federal Civil Rights Legal Clinic. There, she provides legal advice to King and Pierce County residents who face employment discrimination, disability, housing, prison misconduct, and excessive force claims.

Ms. Evanson's commitment to ensuring legal services and counsel is available to all, regardless of income, shows her dedication to a fair and inclusive justice system.

I urge my colleagues to confirm Ms. Evanson to the U.S. District Court for the Western District of Washington without delay.

I also want to urge my colleagues to vote to confirm Tiffany Cartwright for the Western District of Washington. This is a historic nomination. If confirmed, Ms. Cartwright would be the first woman to serve as Federal district judge from the Tacoma courthouse.

Ms. Cartwright is a proud Washingtonian who grew up in Kitsap County and attended Central Kitsap High School. She went on to earn a bachelor of arts from Stanford University in 2007 and a juris doctorate from Stanford Law School.

Ms. Cartwright is extremely experienced in our court system. She has served as a law clerk in the Alaska State Supreme Court and has served as a Federal law clerk for the U.S. Court of Appeals for the Ninth Circuit.

Ms. Cartwright currently serves as a civil rights attorney in Seattle, where her practice focuses on police mis-

conduct and gender discrimination. In addition to her work as a civil rights attorney, Ms. Cartwright serves on the Local Rules Committee for the Federal Bar Association.

Ms. Cartwright has made it a priority to improve the accessibility of the courts. In her free time, she has served as pro bono counsel for cases involving women's and LGBTQ+ rights. And at the Seattle law firm where she works, she has developed a successful fellowship program to draw a diverse range of applicants to the firm and help reduce bias in the workforce.

A real champion for her community and civil rights, she would make an outstanding addition to the district court in the Western District of Washington. And again, I urge my colleagues to vote to confirm Tiffany Cartwright for the Western District of Washington.

I yield the floor.

VOTE ON HIDALGO NOMINATION

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

Mr. CARDIN. 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. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Maine (Mr. KING), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Nebraska (Mr. RICKETTS), the Senator from Alaska (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted “nay.”

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

[Rollcall Vote No. 177 Ex.]

YEAS—51

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

NAYS—42

Barrasso	Capito	Daines
Blackburn	Cassidy	Ernst
Boozman	Cornyn	Fischer
Braun	Cramer	Grassley
Britt	Crapo	Hagerty
Budd	Cruz	Hawley

Hoeven	McConnell	Schmitt
Hyde-Smith	Moran	Scott (FL)
Johnson	Mullin	Scott (SC)
Kennedy	Paul	Thune
Lankford	Risch	Tuberville
Lee	Romney	Vance
Lummis	Rounds	Wicker
Marshall	Rubio	Young

NOT VOTING—7

Cotton	Ricketts	Tillis
Durbin	Shaheen	
King	Sullivan	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MARKEY). 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.

VOTE ON EVANSON NOMINATION

Under the previous order, the question is, Will the Senate advise and consent to the Evanson nomination?

Mrs. MURRAY. 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. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Maine (Mr. KING), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Nebraska (Mr. RICKETTS), the Senator from Alaska (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted “nay.”

The result was announced—yeas 50, nays 42, as follows:

[Rollcall Vote No. 178 Ex.]

YEAS—50

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

NAYS—42

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

NOT VOTING—8

Cotton	King	Sullivan
Durbin	Ricketts	Tillis
Hickenlooper	Shaheen	

The nomination was confirmed.

The PRESIDING OFFICER. 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.

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 8, Tiffany M. Cartwright, of Washington, to be United States District Judge for the Western District of Washington.

Charles E. Schumer, Richard J. Durbin, Margaret Wood Hassan, Brian Schatz, Tina Smith, Elizabeth Warren, Tim Kaine, Ron Wyden, Patty Murray, Richard Blumenthal, Chris Van Hollen, Martin Heinrich, Jack Reed, Christopher A. Coons, Alex Padilla, Christopher Murphy, Sheldon Whitehouse, Benjamin L. Cardin.

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

The question is, Is it the sense of the Senate that debate on the nomination of Tiffany M. Cartwright, of Washington, to be United States District Judge for the Western District of Washington, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Illinois (Mr. DURBIN), the Senator from Maine (Mr. KING), the Senator from Vermont (Mr. SANDERS), and the Senator from New Hampshire (Mrs. SHAHEEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from North Dakota (Mr. CRAMER), the Senator from Nebraska (Mr. RICKETTS), the Senator from Alaska (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted "nay."

The yeas and nays resulted—yeas 49, nays 42, as follows:

[Rollcall Vote No. 179 Ex.]

YEAS—49

Baldwin	Casey	Graham
Bennet	Collins	Hassan
Blumenthal	Coons	Heinrich
Booker	Cortez Masto	Hickenlooper
Brown	Duckworth	Hirono
Cantwell	Feinstein	Kaine
Cardin	Fetterman	Kelly
Carper	Gillibrand	Klobuchar

Lujan	Peters	Van Hollen
Manchin	Reed	Warner
Markey	Rosen	Warnock
Menendez	Schatz	Warren
Merkley	Schumer	Welch
Murphy	Sinema	Whitehouse
Murray	Smith	Wyden
Ossoff	Stabenow	
Padilla	Tester	

NAYS—42

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

NOT VOTING—9

Cotton	King	Shaheen
Cramer	Ricketts	Sullivan
Durbin	Sanders	Tillis

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 49, the nays are 42.

The motion is agreed to.

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Tiffany M. Cartwright, of Washington, to be United States District Judge for the Western District of Washington.

Thereupon, the Senate proceeded to consider the nomination.

The ACTING PRESIDENT pro tempore. The Senator from Alaska.

GRAPHITE AND GRAPHITE ONE

Ms. MURKOWSKI. Mr. President, more is happening with minerals around the world than ever before. We are seeing global demand driven by growth and technology, legislation and regulation. Everything is just skyrocketing. Yet the global supply is often tenuous. Really, it is very thoroughly dominated by China, and there are clear warning signs that we here in the United States urgently need to reduce our foreign dependence by rebuilding our domestic supply chains.

As we stand here today, our Nation's lack of mineral security is a glaring vulnerability. It is a threat to our security. It is a threat to our competitiveness. It is a threat to our geopolitical power and our ability to lead on industries of the future. The obvious solution is to do a lot more in this space, which makes sense, but it starts with mining, and until we have achieved stable, affordable supplies of as many minerals as possible here at home, that vulnerability will continue.

We have begun to put a framework in place to do that. We did this through the legislation that I had introduced, the American Mineral and Security Act. We also did some with the bipartisan infrastructure law and with the provisions that Chairman MANCHIN added to the Inflation Reduction Act.

These are a good start, but there is no shortage of minerals where meaningful action is still needed.

So we could talk about copper—the "metal of electrification" as my friend Dr. Daniel Yergin puts it—where forecasts of shortages in the twenties and thirties are becoming commonplace. Now, I would be the first one to acknowledge that we cannot produce copper everywhere it is found—I think there are just a few places that are too, too sensitive—but we need to make up for this by approving projects in locations where it does make sense, and that is simply not happening right now.

We could also talk about gallium and germanium. Just before the Fourth of July, our Independence Day, China announced export controls for both of these critical minerals as part of their escalating war over semiconductors. So what is our domestic reaction to that? Well, it is not independence. It has really become more of a scramble. We have seen with the Department of the Interior that they have repeatedly delayed a good project in Alaska—this is the Ambler Access Project—that would provide access to long-term supplies of both germanium and gallium.

What we are doing here is giving China leverage. They have certainly seized on it in what could well become a pattern across dozens of minerals and materials. In a very real sense, in many ways, we are giving them bullets for the gun that they will hold us hostage to. And it is not just here in the United States. We saw it just few years back when China cut off supplies of rare earths to Japan in an effort to utilize that leverage.

Today, I have come to the floor to discuss a different type of critical mineral, and that is graphite.

Graphite is described by the U.S. Geological Survey as a "soft, crystalline form of carbon" that "occurs naturally in metamorphic rocks such as marble, schist, and gneiss." Graphite "exhibits the properties of a metal and a nonmetal," which include "thermal and electrical conductivity" as well as "inertness, high thermal resistance, and lubricity." Graphite is valued because it is relatively lightweight. Yet it is very dense. It is a good semiconductor, a good conductor, and more stable than many of the alternatives.

Now, most of us are most familiar with the graphite that we know in pencils. Pencils don't contain lead; they contain graphite. It is also used in things like brake linings, steelmaking, headphones, and today, perhaps most crucially, advanced rechargeable batteries and fuel cells. So if you care about smartphones, if you care about EVs, if you care about climate change and the energy transition, there is really no way around it—you will need to care a lot more about graphite than you probably currently do.

Lithium-ion batteries typically require far more graphite than lithium—up to 15 times more. Graphite can account for more than a quarter of those

batteries' weight and up to 95 percent of their anode materials. That makes graphite both fundamental to our mineral security and really very irreplaceable for many technologies.

I am not a materials scientist, and I think most aren't, but for those who aren't, Bloomberg's Liam Denning recently summarized graphite's use in EVs as follows. He said:

Graphite is the main material for the battery's anode, which takes in and holds lithium ions during charging and releases them when energy is needed. . . . [G]raphite's combination of high thermal and electrical conductivity with chemical inertness makes it very useful when you want to cycle through lots of energy flows without stuff degrading or blowing up. A typical 60 kilowatt-hour EV battery might hold 160 pounds of graphite compared with perhaps 20 pounds of lithium. And while the exact mix of other metals such as cobalt and nickel in the other electrode—the cathode—may change, graphite's place in the anode is more or less fixed.

So more technical than most of us would want, but just to put it in very simple terms, if we want more smartphones and we want more EVs on the roads, we are going to need a lot more graphite for them. That is one of the main reasons that Chairman MANCHIN and I, along with Senators RISCH and CASSIDY, urged President Biden back in March of last year to declare graphite and other key battery minerals as "essential to the national defense" under the Defense Production Act of 1950. I appreciate and I thank the President for doing just that and then working with us to secure hundreds of millions of dollars in Federal appropriations for projects to produce them.

My view is, we don't have any more time to waste here. One rough estimate is that every additional 1 million EVs will require 80,000 tons of graphite. That is why Benchmark Minerals projects the world will need 97 new graphite mines by 2035 compared to just over 70 that are operating today. It is why the International Energy Agency, the IEA, projects that demand for graphite for clean energy technologies could increase 25-fold—that is 2,500 percent—by the year 2040.

So you have to ask the question, are we on track to produce any of that? The answer is no—not even remotely. A consultancy by the name of Project Blue has projected an annual deficit of about 856,000 tons of graphite by the year 2030.

Some of the anticipated demand can be filled by synthetic graphite, which is made from fossil fuels such as petroleum coke, but a large portion will need to come from newly mined natural graphite. Here is the problem with that: The United States has not produced natural graphite for about three decades now—since at least 1990 and perhaps as far back as 1950, depending on your source. Instead, the United States is entirely import-dependent, bringing in 100 percent of our supply each year. Last year, that amounted to 82,000 metric tons of natural graphite.

And where did we get it from? China was the No. 1 source of our imports—at least 100 percent foreign dependence.

You might think it can't get any worse than that, but trust me, it can, and it is. We can always import more volume, and that is exactly what is happening. According to USGS, after a few down years in 2019 and 2020, our natural graphite imports rose by 48 percent in 2021 and by 55 percent in 2022. So we are just—we need the stuff. Where are we getting it? We are getting it imported. Where are we importing it from? China.

Another part of the problem is that even if the United States begins to produce graphite again, we won't know exactly what to do with it. That is because we also lack the processing capabilities to turn natural graphite into useful advanced material for batteries and other products. This is, again, another area where China leads, and we are paying very little attention here.

It will take a sustained effort to catch up on graphite processing, so the question is, How long is this going to take? What will it cost us? Who will our partners in these efforts be?

There has been some speculation that China's warning shot on gallium might be a precursor for something that really hurts us, like restrictions on graphite. According to Benchmark Minerals, China is responsible for 61 percent of global graphite production and 98 percent of processed graphite materials. EVs previously failed because the technology just wasn't there. Yet it isn't hard to imagine them failing again because the minerals and the materials aren't there.

If you are thinking "OK, this is bad," you are right. It is bad. But there is hope. There is hope on the horizon in the form of Graphite One. This is a project in northwest Alaska. This is about 37 miles outside of the community of Nome, AK.

This is not a picture of Nome, AK, although in the wintertime, it could be just about that white. But what I want to demonstrate here is what could be considered a crude writing utensil. I will just write my name there. This is a hunk of graphite. This is solid graphite. It gets your fingers a little bit dirty. This is a piece of graphite that I picked up at the mine site in Nome. If I were to give you this piece of graphite and you were to hold it in one hand and you were to hold your cell phone in the other hand, you would be holding two pieces of graphite. This is graphite. This is graphite. But this graphite from Alaska would probably be the first piece of American graphite, of domestic graphite that you have ever held in your life, because there is nothing domestic about the graphite that goes into our cell phones today.

This is just a small part, a small sample of what we can glean from the Graphite One project, which USGS reports is North America's largest natural graphite deposit. It is a world-class deposit. It is absolutely massive compared to others around the world.

I mentioned that I was out there in Nome 3 days ago. On Saturday, I was on the Graphite One property. It consists of well over 100 mining claims on non-Federal land. This mine project is not new. They actually mined this back in the early 1900s and then stopped production some time ago. But I was able to visit the base camp there in Nome, the Graphite Creek field camp, as well as a drill pad where the core samples are being taken as part of the summer season. Of course, summer in Alaska out in that region just means that is when the mosquitoes are the most intense.

It was eye-opening to see how Graphite One is moving forward as they are doing further exploration with this absolutely critical resource. I have always supported Graphite One and what they are doing in Alaska, but really, after my site visit there on Saturday, I am convinced that this is a project that every one of us—those of us here in Congress, the Biden administration, all of us—needs to support.

Graphite One's vision is to build a complete domestic supply chain for natural graphite. Their project would be anchored by responsible mining of the Graphite Creek deposit, producing tens of thousands of metric tons a year. But it would also extend to a battery anode manufacturing facility in Washington State, which would be collocated with a battery recycling plant—which is why their CEO, Anthony Huston, often describes Graphite One as "a technology company that mines graphite."

This is a major opportunity for us. Previously, I have expressed some disappointment to Secretary Granholm that the Biden administration is heavily subsidizing a graphite processing plant in Louisiana that imports graphite. They import graphite from Mozambique, an unstable regime with a poor human rights record, a region where there has been significant labor unrest and where ISIS is reportedly active.

It is not too late to realize the immense value that Graphite One holds for our economy and our security. This project will give us a significant domestic supply, breaking our wholesale dependence on imports. This will be a secure supply of natural graphite from day one. This stuff is pretty pure. Let me tell you, this was not just a random piece of graphite; this graphite is literally under your very feet, that you pick up with your hands. It is solid, solid material. It will be a secure supply of natural graphite from day one without the political and the security risks associated with so many projects that are located abroad.

The health and environmental standards for Graphite One will both be exceedingly high and fully transparent. The company's leadership is working hard to ensure the project creates opportunities for the people who live in the region in Nome, as well as the Inupiaq communities of Brevig Mission, Mary's Igloo, and Teller.

This is where I want to end my comments because, during my tour of Graphite One, I saw firsthand how even in these very developmental stages, this project is already benefiting these Alaska Native communities.

Graphite One is committed to Alaska hire. They are working with a program that they call Arctic Access to help place disadvantaged individuals into meaningful jobs. We were able to talk a little bit about that program.

One of the individuals who really struck me was a gentleman by the name of John. He was from Brevig Mission. He had been the water treatment operator there in Brevig for some years. He was hired to run Graphite One's very sophisticated water and wastewater system. John told me he knew next to nothing about this state-of-the-art system there, which could have been disqualifying in some places, but at Graphite One, it didn't matter. Rather than hiring somebody from the lower 48, they hired people to train him, and he is now succeeding. The guy was just beaming from ear to ear about the opportunities and the excitement that he has not only for the job but what this mine meant for the region.

For people like John and other Alaskans, Graphite One is doing it right. I am proud to have them operating in Alaska.

This is an opportunity for us as a country. Again, when we think about our dependence, when we think about our vulnerability on others for critical minerals and particularly our growing vulnerability on one country—China—everything we can do to responsibly address this is a step forward, and Alaska has a significant opportunity in front of us.

I would hope that every Member of the Senate and every member of the administration will look at these as opportunities and join in doing everything we can to support this important work.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KELLY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that all postcloture time on the Cartwright nomination be considered expired and the confirmation vote occur at a time to be determined by the majority leader following consultation with the Republican leader.

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

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

NOMINATION OF ROSEMARIE HIDALGO

• Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Rosie Hidalgo as Director of the Office on Violence Against Women, OVW. Ms. Hidalgo is a proven champion for victims of domestic violence and sexual assault, and her extensive experience, as well as her longstanding commitment to justice, will make her an outstanding Director of OVW.

Ms. Hidalgo received her B.A. from Georgetown University and her J.D. from New York University School of Law. She began her legal career providing direct representation to survivors of domestic violence, as well as assisting them in securing custody of their children. She then joined the nonprofit Esperanza United, where she advocated on behalf of victims of gender-based crimes and promoted policies designed to improve public safety. Ms. Hidalgo is particularly equipped to lead OVW, having worked there as deputy director for policy. In this capacity, she implemented Violence Against Women Act—VAWA—related grants and engaged with relevant agencies and stakeholders to devise new ways to improve the law.

Today, Ms. Hidalgo serves as a Special Assistant to the President and Senior Advisor on Gender-Based Violence at the White House, where she played a key role in securing the bipartisan reauthorization of VAWA.

After more than a decade without a Senate-confirmed Director, OVW will benefit from Hidalgo's expertise, leadership, and unwavering commitment to aiding survivors of gender-based violence.

I strongly support her nomination and urge my colleagues to do the same.●

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

NOMINATION OF KYMBERLY KATHRYN EVANSON

• Mr. DURBIN. Mr. President, today the Senate will vote to confirm Kymberly Evanson to the U.S. District Court for the Western District of Washington. A native of Longview, WA, Ms. Evanson received her bachelor's degree

from Seattle University and her law degree from Georgetown University Law Center. Ms. Evanson began her legal career as an associate with K&L Gates, where she practiced for 2 years before joining her current firm, the Seattle-based Pacifica Law Group.

At Pacifica, Ms. Evanson has a varied practice with an overarching focus on public interest legal work, including on behalf of legal municipalities and municipal agencies. She has handled cases that touch on a broad range of issues, from the State constitutional amendment process and federalism to immigration, trade secrets, and clemency. Her work also includes two briefs before the U.S. Supreme Court. The American Bar Association rated Ms. Evanson "well qualified," and she has the strong support of Senators Murray and Cantwell.

Given her breadth and depth of litigation experience, as well as her commitment to equal justice and the rule of law, Ms. Evanson will make an outstanding addition to the Western District of Washington.

I strongly support her nomination and urge my colleagues to join me in voting for her confirmation.●

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. DURBIN. Mr. President, I was necessarily absent for rollcall vote No. 174, confirmation of the nomination of Xochitl Torres Small to be Deputy Secretary of Agriculture. Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 175, motion to invoke cloture on the nomination of Rosemarie Hidalgo to be Director of the Violence Against Women Office, Department of Justice. Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 176, motion to invoke cloture on the nomination of Kymberly Kathryn Evanson to be U.S. District Judge for the Western District of Washington. Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 177, confirmation of the nomination of Rosemarie Hidalgo to be Director of the Violence Against Women Office, Department of Justice. Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 178, confirmation of the nomination of Kymberly Kathryn Evanson to be U.S. District Judge for the Western District of Washington. Had I been present for the vote, I would have voted yea.

I was necessarily absent for rollcall vote No. 179, motion to invoke cloture on the nomination of Tiffany M. Cartwright to be U.S. District Judge for the Western District of Washington. Had I been present for the vote, I would have voted yea.●

TRIBUTE TO OFFICER NICKOLAS WILT AND OFFICER CORY GALLOWAY

Mr. PAUL. Mr. President, across our Nation, thousands of law enforcement officers make great sacrifices to preserve our freedoms and keep the peace. These law enforcement officers not only serve at great risk but also start every shift with a sense of uncertainty.

On April 10, 2023, Louisville, KY, was fortunate to have two heroes respond to the call of duty. A gunman began shooting innocent citizens at the Old National Bank and took the lives of five individuals. Within minutes of being dispatched, Officer Nickolas Wilt and his training officer Officer Cory Galloway were the first to arrive on the scene. Officer Wilt was on his 10th day of patrol following his graduation from the academy. But the actions of Officer Wilt were that of a seasoned veteran.

Without hesitation, the two officers left the cover of their patrol car and approached the bank while the shooter fired at them with a rifle. Body camera video shows the officers acted with remarkable heroism, bravery, and dedication to save innocent lives. Knowing that each passing second could result in further loss of innocent lives, Officers Wilt and Galloway proceeded toward the gunman. Officer Galloway was struck by rifle rounds in his ballistic vest, causing him to be knocked to the ground and seek cover from further gunshots. During this time, Officer Wilt was struck in the head by one of the assailant's rounds.

At this point, disregarding his own safety, Officer Galloway proceeded back toward the gunman and was able to eliminate the threat as he continued taking fire. Officer Galloway continued into the bank through the shot-out windows and told other responding officers to care for Officer Wilt, who was critically injured.

Today, I stand to honor Officer Nickolas Wilt and Officer Cory Galloway, as well as a multitude of fellow officers, fire, and emergency medical personnel who responded to this chaotic scene. Each of them displayed the true meaning of service before self. The actions of these individuals as well as the dispatchers taking the frantic calls, saved countless lives, including the life of Officer Wilt.

May the actions of each responder be forever remembered as a clear display of heroism in action.

TRIBUTE TO LIEUTENANT COLONEL JAMES HARVEY III

Mr. BENNET. Mr. President, I rise to honor LTC James Harvey III, a Tuskegee Airman and decorated fighter jet pilot in celebration of his 100th birthday on July 13, 2023. Lieutenant Colonel Harvey flew as part of the 99th Fighter Squadron in World War II before becoming the first African-American U.S. Air Force pilot to fly in Ko-

rean airspace during the Korean war. The U.S. Army was segregated when Lieutenant Colonel Harvey joined in 1943, but his perseverance and heroism, both at home and in the skies, continue to inspire us all.

Lieutenant Colonel Harvey excelled in high school as senior class president and valedictorian. Drafted in April 1943, he was initially assigned to the U.S. Army Air Corps as an engineer. It was there, on a train bound for Fort Meade, he first encountered prejudice and discrimination. While in the Army, he worked to carve airstrips out of jungle terrain before applying for cadet training. He later received his wings and commission in 1944 at Tuskegee Army Air Field. From there, Lieutenant Colonel Harvey was assigned to the 332nd Fighter Group's 99th Fighter Squadron, where he served as one of the original members of the "Tuskegee Airmen." The 332nd Fighter Group was noted as one of the Army Air Forces' most successful and most-decorated escort groups and helped encourage the eventual integration of the U.S. Armed Forces.

Lieutenant Colonel Harvey's skill stood out even among those decorated pilots. In 1949, the Chief of Staff of the Air Force arranged an aerial weapons competition among the best pilots in each group. In May of that year, Lieutenant Colonel Harvey joined his group's three-member team to compete at the inaugural "Top Gun" team competition, which was hosted at the Las Vegas Air Force Base, now known as Nellis Air Force Base. Lieutenant Colonel Harvey's team led the competition from the beginning to the end, ultimately winning against teams flying far more advanced equipment.

Lieutenant Colonel Harvey's service to the Air Force did not end there. He was the first African American fighter jet pilot to see combat in the Korean war. On October 16, 1950, he led an element of four F-80s in close support to a bomber mission under adverse weather to attack enemy troops three miles north of Yongsan, Korea. Flying at a low ceiling of 800 feet, Lieutenant Colonel Harvey's flight found the enemy encampment and immediately inflicted heavy damage. For this engagement, he was awarded the Distinguished Flying Cross, along with multiple Air Medals. His heroism on that day and on the 140 total missions he flew during the Korean war will never be forgotten.

After the Korean war, he served as a flight commander, test pilot, assistant group operations officer, flight safety officer, and battle staff training officer for the Commanding General of the North American Aerospace Defense Command, NORAD. Lieutenant Colonel Harvey retired from the Air Force on May 31, 1965, joined Oscar Mayer as a corporate salesman, and settled down with his family of four daughters in Denver, where he still resides.

Lieutenant Colonel Harvey won numerous awards during his decorated 22-year career in the U.S. Army Air Corps/

U.S. Air Force. These awards include the WWII Victory Medal, Air Medal with 10 oakleaf clusters, Good Conduct Medal, National Defense Service Medal, and the United Nations Service Medal. Lieutenant Colonel Harvey, along with every member of the Tuskegee Airmen, received the Congressional Gold Medal in 2006.

As Americans, we owe a debt of gratitude to Lieutenant Colonel Harvey for his heroism. His service to our Armed Forces, recognized by 11 medals during his Air Force career through segregation and discrimination, is an inspiration for generations to come. It is in this spirit of gratitude that I rise today to honor Denver's own Lieutenant Colonel James Harvey III on his 100th birthday.

TRIBUTE TO JUDGE WILLIAM S. GREENBERG

Mr. BLUMENTHAL. Mr. President, I rise today to recognize Judge William S. Greenberg, a dedicated public servant, celebrated jurist, and fierce advocate for our Nation's veterans.

Born in New Jersey and raised in New Jersey, Judge Greenberg received his undergraduate degree in 1964 from Johns Hopkins University and his J.D. in 1967 from Rutgers University in Newark. Upon graduating from law school, Judge Greenberg enlisted in the U.S. Army as an armored cavalry crewman beginning his long history of service to our Nation. In 1970, he earned a commission in the Judge Advocate General's Corps and eventually retired as a brigadier general in 1994 after decades of honorable service in the U.S. Army Reserves.

Judge Greenberg spent the beginning half of his career in private practice as a litigator. He was a founding partner of Sterns & Greenberg from 1970 until 1976 and of Greenberg & Prior from 1976 to 1989. He retired from private practice as a partner in McCarter & English in 2012, after he was nominated to the U.S. Court of Appeals for Veterans Claims by President Obama. After his confirmation in the Senate, Judge Greenberg was sworn in for a term of 15 years on December 28, 2012, allowing Judge Greenberg to apply his skills and energy as a judge to two of his greatest passions: the law and veterans service.

This nomination to the Court of Appeals for Veterans Claims was the culmination of a career dedicated to advocating for our Nation's veterans, both in and out of the courtroom. Judge Greenberg devoted much of his career to ensuring his fellow veterans had the best legal representation. After the horrific attacks on September 11, 2001, Judge Greenberg established the New Jersey State Bar Association's Program of Military Legal Assistance for members of the military Reserves who were called to active duty. This pro bono program connects volunteer lawyers with soldiers who need legal representation for everything from disability benefits claims, to employment

and family law issues that they face both during and after deployment.

Judge Greenberg also admirably represented wounded soldiers at Walter Reed Army Medical Center during their physical disability hearings. For his remarkable work, Judge Greenberg was recommended by the White House to become Chairman of the Reserve Forces Policy Board in 2009 and honored with the Secretary of Defense Medal for Outstanding Public Service, the second highest civilian award in the Department of Defense.

Throughout his long career, Judge Greenberg has held many prestigious positions, including chairman of the Judicial and Prosecutorial Appointments Committee of the New Jersey State Bar Association, president of the Association of Trial Lawyers of America, New Jersey, commissioner of the New Jersey State Commission of Investigation, and assistant counsel to the Governor of New Jersey. He is also a published author and has been a professor at Seton Hall University School of Law and Georgetown Law School. But even with all of these accolades, Judge Greenberg considers his work on behalf of veterans as the most important of his career, once quoted as saying, "I have come to consider myself, more than any other attribute, a soldier's lawyer."

Thanks to his extraordinary commitment to justice and public service, his intelligence and legal acumen, and his tireless work ethic and compassion, Judge Greenberg is a model for our Nation's judiciary. Judge Greenberg's dedication to our country, both as a veteran himself and in his remarkable work on behalf of other veterans, will be his enduring legacy.

I applaud his many accomplishments and hope my colleagues will join me in recognizing Judge Greenberg for his remarkable record of public service.

50TH ANNIVERSARY OF THE INCORPORATION OF MOUNTAIN VIEW

Mr. BARRASSO. Mr. President, I rise today to celebrate the 50th anniversary of the incorporation of the town of Mountain View, WY.

On August 19, the folks of Mountain View will come together for the town's 50th birthday party celebration with food, music, games, and fireworks. This event is an exceptional example of Mountain View's strong sense of community. The town of Mountain View was incorporated on November 20, 1973, in Uinta County, WY. Wilford Stoddard became the first mayor, along with council members Eldon Tripp, Jack Byrne, Alfred Davidson, and James Cox. Located in Bridger Valley, at the base of the Uinta Mountain Range, the town is far older than 50 years. Mountain View was platted on 40 acres within the county on February 26, 1898. Today, the town spans over 550 acres.

In 1843, fur trapper Jim Bridger set up a trading post on the Black's Fork

River just a few miles from present day Mountain View. The post served travelers on the Oregon Trail and later the Mormon and California Trails. In 1858, the U.S. Army took over the post and named it Fort Bridger. The army abandoned the fort in 1890. As Americans began moving west, many settlers in Bridger Valley and what is today Mountain View established ranches. Today, Mountain View remains deeply rooted in agriculture, feeding Wyoming and the rest of the country.

The views and scenery of Mountain View are unparalleled. The town serves as a hub offering its residents and visitors remarkable opportunities for fishing, camping, and hiking in the Uinta Mountains. The Uintas are one of only two major mountain ranges in the United States that run east to west. One of the earliest local businesses in Mountain View was Benedicts, the town's only grocery store. Started in 1938 as the Benedict Trading Company by Harlen Benedict, the store is still a cornerstone of the community. Another local and long-standing business is the Union Telephone Company. Founded by John Woody in 1914, Union provided the first phone service in Bridger Valley. John Woody used rifle cartridges as plugs and jacks on his first homemade switchboard. Managed by four generations of the Woody family, the company is still headquartered in Mountain View where they serve over 40,000 Wyoming customers. In June 1937, the people of Mountain View and the surrounding Bridger Valley unified to create the first electric utility under President Franklin D. Roosevelt's Rural Electrification Administration. Bill Riding served as the first general manager for the newly formed Bridger Valley Electric Association. The association continues to provide Mountain View with power in 2023.

Mountain View boasts a long and rich local history. From the time of the fur trappers, to the Nation's westward expansion of the 19th century, to modern day, Mountain View truly embodies the culture of the Cowboy State.

Mountain View is led by these dedicated individuals:

Bryan Ayres, Mayor
Tori Carter, Council
Jenny Harvey, Council
Jamy Ferrin, Council
Kelly Bonner, Council
Penny Robbins, Clerk/Treasurer
Amanda Fraughton, Deputy Clerk
Mark W Harris, Attorney
Tammy Murray, Deputy Clerk
Heather Ayres, Deputy Clerk
Jacob Porter, Public Works
Steven Kendall, Public Works
Spencer Bates, Public Works
Steve Catlin, Public Works
Allister Bunch, Police Chief
Dexter Moehler, Fire Chief.

Event Planning included these committed citizens

Mark Tesoro and Todd Griffith, Southwest Wyoming Outdoor Trails
Tom Dean and Dennis Freeman, American Legion Post #36
Leila Dean, Linda Lingle, Donna Bindl, and Vicki Fader, American Legion Auxiliary

Andy Kopp, Sheriff and Trevor Rasmussen, Under Sheriff, Uinta County Sheriff's Department

Mindy Tollefson—Uinta County Fair Manager

Isaac Lords, Scoutmaster and MarNae Lords—Leaders, Boy Scout Troop #7798

Cara Trees—Leader, 4-H Group—The Red-necks

Collette Bugas, Instructor, UC School District #4 High School Student Council

Wade Stoddard, Uinta-Wasatch-Cache National Forest Service

Regina Dickson and Allen Deru, Wyoming Game and Fish

Jessica Guild, Instructor, Mountain View High School Cheerleaders.

It is an honor for me to rise in recognition of this significant milestone for Mountain View, WY. Their golden anniversary celebration is a tribute to generations of determination and commitment that built this town. Bobbi joins me in extending our congratulations to the town of Mountain View on their 50th anniversary of incorporation.

ADDITIONAL STATEMENTS

TRIBUTE TO JEANNIE MITCHELL BAUMGARDNER

• Mr. RUBIO. Mr. President, I recognize Jeannie Mitchell Baumgardner, the Gulf County Teacher of the Year from Wewahitchka Elementary School in Wewahitchka, FL.

Jeannie believes each of her students brings positive impacts amongst each other and plays an important role in ensuring they are successful. She values each day as a new opportunity to prepare her students for the challenges they will face throughout their lives.

Jeannie enthusiastically begins her classes with activities that are meant to make learning fun and leaves a lasting impression on her students. She finds teaching a fulfilling job, allowing her to impart the lessons she has learned to the next generation of leaders.

Jeannie has been an elementary school teacher since 2018 and teaches third grade at Wewahitchka Elementary School. She is a graduate of Florida State University.

I convey my profound appreciation and extend my best wishes to Jeannie for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO LORI BLUE

• Mr. RUBIO. Mr. President, I recognize Lori Blue, the Taylor County Teacher of the Year from Taylor County High School in Perry, FL.

Lori pours her heart out for her students each day in her classroom. She helps her students and makes her school a better place to learn and work.

Lori's passion for her community and school shows in everything she does on

campus. She begins each school day with a desire to impart wisdom to her students and to prepare them for success. As Lori enjoys reading, she works to show her students how important this fundamental skill is.

Lori teaches English II honors and senior reading at Taylor County High School and is a National Honor Society sponsor. She previously taught kindergarten, first, second, fourth, fifth, and ninth grades. Lori graduated from North Florida Junior College and Florida State University with a bachelor of science in elementary education.

I extend my deepest gratitude and best wishes to Lori for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO LESLEY ANNE JAMISON

● Mr. RUBIO. Mr. President, I recognize Lesley Anne Jamison, the Wakulla County Teacher of the Year from Riversprings Middle School in Wakulla, FL.

Lesley's teaching inspiration comes from her belief that education opens every door of opportunity. School is where her students learn to dream big and know that anything is within their reach if they lean on their education and nurture a desire to learn something new every day.

Lesley views educators as those who hand students keys to open the doors for possibility. They challenge and encourage students to explore every opportunity life offers. She considers it a privilege to enrich a young person's life and be a voice of encouragement that makes them stop saying they "cannot" and begin saying they "will."

Lesley is in her second year as an instructional coach at Riversprings Middle School and has taught for 11 years. Previously, Lesley was Riversprings Middle School's 2018-2019 Teacher of the Year and was a Kagan coach and teacher coach. She also coached athletics, including baseball, soccer, track and field, and soccer, as well as cheerleading. She is a district collaboration team facilitator and is the Florida Benchmarks for Excellent Student Thinking Standards Math/English Language Arts liaison.

I offer my deepest gratitude and best wishes to Lesley for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO PIERRE LEVELLE LEWIS

● Mr. RUBIO. Mr. President, I recognize Pierre LeVelle Lewis, the Gadsden County Teacher of the Year from Gadsden County High School in Gadsden, FL.

Pierre began his teaching career 5 years ago in Gadsden County schools. He is a social science teacher. During the 2021-2022 school year, Pierre's stu-

dents earned a 96 percent passing rate on the U.S. history exam, one of the highest in the State. His students enjoy his teaching style, and he continually works to get the most out of them.

Pierre sets out each day to develop lesson plans to make learning enjoyable for his students and to keep an open mind when going through his class. His peers have seen firsthand his devotion to committing countless hours to developing a curriculum that ensures the success of his students.

I offer my deepest gratitude and best wishes to Pierre for his tireless commitment to his students. I look forward to hearing about his continued good work in the years to come.●

TRIBUTE TO RANDI LUNDGREN

● Mr. RUBIO. Mr. President, I recognize Randi Lundgren, the Leon County Teacher of the Year from Amos P. Godby High School in Tallahassee, FL.

Through adaptative teaching lesson plans, Randi gives her students assignments that allow them to show her all about them through arts and crafts paper projects. She teaches them that mistakes are nothing to be upset over and that they can grow from them. Randi considers these types of projects to not only better her students, but also help make her a better teacher.

Randi began teaching at Amos P. Godby High School in 2008. She is the yearbook adviser, acting and technical theatre teacher, fine arts department chair, and the director of theatrical arts. She earned a bachelor of arts degree in English and theatre arts.

I extend my deepest gratitude and best wishes to Randi for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO BOBBI CRAFTON PINKARD

● Mr. RUBIO. Mr. President, I recognize Bobbi Crafton Pinkard, the Madison County Teacher of the Year from Pinetta Elementary School in Pinetta, FL.

Bobbi is passionate about teaching and making it as fun as possible for students. She often spends hours looking at books for students to read and enjoy, as she wants them to find joy in reading and writing. She hopes her teachings will help her students succeed in their lives after high school and hopes to make a significant impact on their lives and their educational careers.

Bobbi is a kindergarten teacher at Pinetta Elementary School. She graduated from North Florida Community College with her associates in arts degree, followed by her bachelor's degree in elementary education from the University of West Florida. She loves teaching as it allows her to give back to her community.

I offer my deepest gratitude and best wishes to Bobbi for her commitment to

her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO ADRIANNA SWEARINGEN

● Mr. RUBIO. Mr. President, I recognize Adrianna Swearingen, the Bay County Teacher of the Year from Northside Elementary School in Panama City, FL.

Adrianna believes education can be found anywhere and dedicates her time and talents to ensuring her students excel. She wants them to enjoy learning and come to class excited. Adrianna hopes she has significantly impacted the lives of her students and their educational careers. She credits the positive influences she has received in her life for receiving this award.

Adrianna is a media specialist at Northside Elementary School. She is determined to ensure her students learn valuable lessons and believes teaching is her purpose to help them.

I extend my deepest gratitude and best wishes to Adrianna for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO CASSIE CARDIN VICKERS

● Mr. RUBIO. Mr. President, I recognize Cassie Vickers, the Liberty County Teacher of the Year from Hosford Elementary and Junior High School in Hosford, FL.

Cassie hopes to make lasting impacts on the lives of her students. Each day they are in school, she works with them to ensure they excel to be successful in her classroom and prepare them for challenges later in life.

Cassie wants her students to continue to work hard and be passionate about learning. She credits those who worked with her to prepare her to be a teacher. This made her want to instill in her students the same guidance she received around their age.

Cassie teaches English/language arts at Hosford Elementary and Junior High School. She graduated from James S. Rickards High School in Tallahassee and studied at Florida State University.

I offer my deepest gratitude and best wishes to Cassie for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

TRIBUTE TO TANYA SUE WIGGANS

● Mr. RUBIO. Mr. President, I recognize Tanya Sue Wiggans, the Jackson County Teacher of the Year from Hope School in Marianna, FL.

Tanya instills in her students that hard work is key to success in school and later in life. She spends each day working to ensure her students excel in not only her classes but in others during their educational career.

Tanya is an exceptional student educational teacher at Hope School. Prior to working at Hope School, she taught at Golson Elementary School. She studied at Florida State University.

I offer my deepest gratitude and best wishes to Tanya for her commitment to her students. I look forward to hearing about her continued good work in the years to come.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

PRESIDENTIAL MESSAGE

REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN HONG KONG THAT WAS DECLARED IN EXECUTIVE ORDER 13936 OF JULY 14, 2020—PM 18

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Hong Kong that was declared in Executive Order 13936 of July 14, 2020, is to continue in effect beyond July 14, 2023.

The situation with respect to Hong Kong, including recent actions taken by the People's Republic of China to fundamentally undermine Hong Kong's autonomy, continues to pose an unusual and extraordinary threat, which has its source in substantial part outside the United States, to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared

in Executive Order 13936 with respect to the situation in Hong Kong.

JOSEPH R. BIDEN, Jr.
THE WHITE HOUSE, July 11, 2023.

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-1565. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Privacy of Consumer Financial Information Rule Under the Gramm-Leach-Bliley Act" (RIN3084-AB42) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1566. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Transition to the Current Expected Credit Loss Methodology" (RIN3133-AF03) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1567. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Removal of References to Credit Ratings from Regulation M" (RIN3235-AL14) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1568. A communication from the Secretary of the Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Prohibition Against Fraud, Manipulation, or Deception in Connection with Security-Based Swaps; Prohibition against Undue Influence over Chief Compliance Officers" (RIN3235-AK77) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-1569. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Accounting and Reporting Treatment of Certain Renewable Energy Assets" (Docket No. RM21-11-000) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Energy and Natural Resources.

EC-1570. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Room Air Conditioners" (RIN1904-AD97) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Energy and Natural Resources.

EC-1571. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Consumer Pool Heaters" (RIN1904-AD49) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Energy and Natural Resources.

EC-1572. A communication from the Assistant General Counsel for Legislation, Regula-

tion and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Room Air Conditioners" (RIN1904-AF01) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Energy and Natural Resources.

EC-1573. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Electric Motors" (RIN1904-AD97) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Energy and Natural Resources.

EC-1574. A communication from the Secretary of Energy, transmitting a legislative proposal to amend the background investigation requirements of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Committee on Energy and Natural Resources.

EC-1575. A communication from the Senior Attorney Advisor/Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Waiver of Buy America Requirements for Electric Vehicle Chargers" (Docket No. 2022-0023) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1576. A communication from the Director of Civil Works, Army Corps of Engineers, Department of the Army, transmitting, pursuant to law, the report of a rule entitled "Credit Assistance and Related Fees for Water Resources Infrastructure Projects" (RIN0710-AB31) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1577. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Fee Schedules, Fee Recovery for Fiscal Year 2023" (RIN3150-AK58) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1578. A communication from the Attorney Advisor, Great Lakes St. Lawrence Seaway Development Corp., Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Tariff of Tolls" (RIN2135-AA54) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1579. A communication from the Chair of the United States Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Abnormal Occurrences: Fiscal Year 2022"; to the Committee on Environment and Public Works.

EC-1580. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Idaho; Inspection and Maintenance Program Removal" (FRL No. 10612-02-R10) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1581. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Disapproval of

Clean Air Plans; Sacramento Metro, California; Contingency Measures for 2008 Ozone Standards" (FRL No. 10618-02-R9) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1582. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Revisions; California; Mojave Desert Air Quality Management District; Oxides of Nitrogen" (FRL No. 10672-02-R9) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1583. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Revisions; California; Eastern Kern Air Pollution Control District; Oxides of Nitrogen" (FRL No. 10674-02-R9) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1584. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances (21-2.F); Correction" (FRL No. 8985-03-OCSPP) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1585. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "NPDES Small MS4 Urbanized Area Clarification" (FRL No. 10123-06-OW) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1586. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Actions; Nevada; Clark County - Department of Environment and Sustainability; Stationary Source Permits" (FRL No. 10597-02-R9) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1587. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Michigan; Michigan Nonattainment New Source Review Certification for the 2015 Ozone NAAQS" (FRL No. 10920-02-R5) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Environment and Public Works.

EC-1588. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Testing Provisions for Air Emission Sources; Correction" (FRL No. 8335-06-OAR) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1589. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Renewable Fuel Standard (RFS) Program: Standards for 2023-2025 and Other Changes" (FRL No. 8514-02-OAR) received during adjournment of the

Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1590. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval, Limited Approval and Limited Disapproval of California Air Plan Revisions; Mojave Desert Air Quality Management District; Stationary Source Permits" (FRL No. 10269-02-R9) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1591. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Tennessee; Revisions to Startup, Shutdown, and Malfunction Rules" (FRL No. 10523-02-R4) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1592. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Implementing Statutory Addition of Certain Per- and Polyfluoroalkyl Substances (PFAS) to the Toxics Release Inventory Beginning with Reporting Year 2023" (FRL No. 10781-01-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1593. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Virginia; Startup, Shutdown, and Malfunction Amendments to Facility and Control Equipment Maintenance or Malfunction Regulations" (FRL No. 10907-02-R3) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Environment and Public Works.

EC-1594. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Section 2001 of the Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act"; to the Committee on Finance.

EC-1595. A communication from the Director of the Legal Processing Division, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Expense Related to COVID-19 and Preventive Care for Purposes of High Deductible Health Plans" (Notice 2023-37) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Finance.

EC-1596. 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 "Pre-Filing Registration Requirements for Certain Tax Credit Elections" (RIN1545-BQ76) (TD 9975) received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Finance.

EC-1597. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pur-

suant to law, the report of a rule entitled "Use of Actuarial Tables in Valuing Annuities, Interests for Life or a Term of Years" (RIN1545-BP00) (TD 9974) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Finance.

EC-1598. A communication from the Chair, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "June 2023 Report to the Congress: Medicare and the Health Care Delivery System"; to the Committee on Finance.

EC-1599. A communication from the Chair, Medicaid and CHIP Payment and Access Commission, transmitting, pursuant to law, a report entitled "June 2023 Report to Congress on Medicaid and CHIP"; to the Committee on Finance.

EC-1600. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Treatment of Medicare Part C Days in the Calculation of a Hospital's Medicare Disproportionate Patient Percentage" (RIN0938-AU24) received in the Office of the President of the Senate on June 22, 2023; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with amendments:

S. 884. A bill to establish a Government-wide approach to improving digital identity, and for other purposes (Rept. No. 118-47).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, without amendment:

S. 92. A bill to designate the outdoor amphitheater at the Blue Ridge Music Center in Galax, Virginia, as the "Rick Boucher Amphitheater" (Rept. No. 118-48).

S. 162. A bill to amend the Smith River National Recreation Area Act to include certain additions to the Smith River National Recreation Area, to amend the Wild and Scenic Rivers Act to designate certain wild rivers in the State of Oregon, and for other purposes (Rept. No. 118-49).

S. 199. A bill to codify the authority of the Secretary of Agriculture and the Secretary of the Interior to conduct certain landscape-scale forest restoration projects, and for other purposes (Rept. No. 118-50).

S. 440. A bill to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas, to withdraw certain land located in Curry County and Josephine County, Oregon, from all forms of entry, appropriation, or disposal under the public land laws, location, entry, and patent under the mining laws, and operation under the mineral leasing and geothermal leasing laws, and for other purposes (Rept. No. 118-51).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, with an amendment:

S. 452. A bill to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes (Rept. No. 118-52).

By Mr. MANCHIN, from the Committee on Energy and Natural Resources, without amendment:

S. 535. A bill to streamline the oil and gas permitting process and to recognize fee ownership for certain oil and gas drilling or spacing units, and for other purposes (Rept. No. 118-53).

S. 593. A bill to amend the John D. Dingell, Jr. Conservation, Management, and Recreation Act to establish the Cerro de la Olla Wilderness in the Rio Grande del Norte National Monument and to modify the boundary of the Rio Grande del Norte National Monument (Rept. No. 118-54).

S. 612. A bill to reauthorize the Lake Tahoe Restoration Act, and for other purposes (Rept. No. 118-55).

S. 623. A bill to amend the Alaska Native Claims Settlement Act to exclude certain payments to aged, blind, or disabled Alaska Natives or descendants of Alaska Natives from being used to determine eligibility for certain programs, and for other purposes (Rept. No. 118-56).

By Mr. REED, from the Committee on Armed Services, without amendment:

S. 2226. An original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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. BROWN (for himself, Mr. WYDEN, Mr. REED, Ms. SMITH, Mr. MERKLEY, Mr. FETTERMAN, Ms. WARREN, and Ms. BALDWIN):

S. 2224. A bill to amend the Internal Revenue Code of 1986 to deny interest and depreciation deductions for taxpayers owning 50 or more single family properties; to the Committee on Finance.

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

S. 2225. A bill to require covered entities to issue a short-form terms of service summary statement, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REED:

S. 2226. An original bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; from the Committee on Armed Services; placed on the calendar.

By Mr. CORNYN (for himself and Ms. CORTEZ MASTO):

S. 2227. A bill to require the Comptroller General of the United States to carry out a study on the trafficking into the United States of synthetic drugs, and related illicit finance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KELLY (for himself, Mr. YOUNG, Mr. HAGERTY, and Mr. BROWN):

S. 2228. A bill to amend the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 to clarify the scope of a major Federal action under the National Environmental Policy Act of 1969 with respect to certain projects relating to the production of semiconductors, and for other purposes; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself, Mr. PETERS, Mr. RUBIO, Mr. YOUNG, and Ms. WARREN):

S. 2229. A bill to amend the Foreign Agents Registration Act of 1938, as amended to clar-

ify the obligation of individuals who formerly served as agents of foreign principals to register retroactively as foreign agents under the Act with respect to activities carried out previously on behalf of such foreign principals, and for other purposes; to the Committee on Foreign Relations.

By Mr. KENNEDY (for himself, Mr. BOOZMAN, Mr. MORAN, Mr. COTTON, Mr. DAINES, Mrs. BRITT, Mr. ROUNDS, and Mr. TUBERVILLE):

S. 2230. A bill to prohibit the Securities and Exchange Commission from requiring that personally identifiable information be collected under consolidated audit trail reporting requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself, Mr. CASSIDY, Mr. KING, Mr. RISCH, Ms. DUCKWORTH, Mr. GRASSLEY, Mr. KELLY, Mr. TILLIS, Ms. WARREN, Mr. DAINES, Mr. BROWN, Mr. SCOTT of Florida, Mr. VAN HOLLEN, Mr. RUBIO, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 2231. A bill to amend title V of the Social Security Act to support stillbirth prevention and research, and for other purposes; to the Committee on Finance.

By Mr. RUBIO:

S. 2232. A bill to provide special authority for the provision of commercial space launch support services; to the Committee on Armed Services.

By Ms. DUCKWORTH (for herself and Mr. VANCE):

S. 2233. A bill to ban the sale of products with a high concentration of sodium nitrite to individuals, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRUZ:

S. 2234. A bill to amend title 10, United States Code, to prohibit the establishment or maintenance of a unit of the Junior Reserve Officers' Training Corps at an educational institution owned, operated, or controlled by the Chinese Communist Party; to the Committee on Armed Services.

By Mr. COONS (for himself, Mr. WICKER, Mr. CARDIN, Mr. CASEY, Mr. COTTON, Mr. FETTERMAN, Mr. GRAHAM, Mr. OSSOFF, Mr. RICKETTS, Ms. SMITH, Mr. TILLIS, Mr. TUBERVILLE, Mr. VAN HOLLEN, and Mr. BOOZMAN):

S. 2235. A bill to amend the Animal Health Protection Act to provide compensation for poultry growers and layers in control areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL (for himself, Mr. CASSIDY, Ms. WARREN, Mr. MARKEY, and Mr. MURPHY):

S. 2236. A bill to amend the Internal Revenue Code of 1986 to repeal the temporary limitation on personal casualty losses; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. KING, and Mr. ROMNEY):

S. 2237. A bill to amend the Public Health Service Act to require the Secretary to award grants, contracts, or cooperative agreements to eligible entities to establish, maintain, or improve activities related to the detection and monitoring of infectious diseases through wastewater for public health emergency preparedness and response purposes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself, Mr. LUJÁN, Mr. THUNE, and Mr. WELCH):

S. 2238. A bill to direct the Assistant Secretary of Commerce for Communications and Information to develop a National Strategy to Close the Digital Divide, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WARNOCK (for himself, Mr. PADILLA, Mr. BOOKER, Ms. SMITH, and Mr. MENENDEZ):

S. 2239. A bill to prevent maternal mortality and severe maternal morbidity among Black pregnant and postpartum individuals and other underserved populations, to provide training in respectful maternity care, to reduce and prevent bias, racism, and discrimination in maternity care settings, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2240. A bill to amend the Foreign Assistance Act of 1961 to authorize appropriations for certain cooperative projects among the United States, Israel, and developing countries, and for other purposes; to the Committee on Foreign Relations.

By Ms. SMITH (for herself and Mr. YOUNG):

S. 2241. A bill to require the Secretary of Agriculture to conduct research relating to measurement, monitoring, reporting, and verification of greenhouse gas emissions and carbon sequestration, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 2242. A bill to amend the Clean Air Act to require the Administrator of the Environmental Protection Agency to make available for sale renewable fuel credits, and for other purposes; to the Committee on Environment and Public Works.

By Ms. BALDWIN (for herself, Mrs. CAPITO, Mr. MERKLEY, Ms. MURKOWSKI, Mr. REED, Mr. ROUNDS, Ms. SINEA, Mr. KING, Mrs. HYDE-SMITH, Mr. MARSHALL, Mrs. BLACKBURN, Ms. CANTWELL, Mr. BOOZMAN, and Mrs. GILLIBRAND):

S. 2243. A bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools and other programs, including social work, physician assistant, and chaplaincy education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative and hospice care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. MARSHALL, and Mr. BRAUN):

S. 2244. A bill to amend the Commodity Credit Corporation Charter Act to require specific congressional authorization for use of the Commodity Credit Corporation, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. RUBIO (for himself, Mrs. FEINSTEIN, Mrs. CAPITO, Mr. MANCHIN, Mr. PADILLA, Ms. SMITH, Mr. KELLY, and Mr. BLUMENTHAL):

S. 2245. A bill to require a review of women and lung cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Mr. PADILLA, Mr. WELCH, Ms. WARREN, Mr. MERKLEY, Ms. HIRONO, Mrs. FEINSTEIN, and Mr. BLUMENTHAL):

S. 2246. A bill to authorize the appropriation of funds to the National Institutes of Health and the Centers for Disease Control and Prevention for conducting or supporting research on barriers to gender affirming care; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HICKENLOOPER (for himself, Mr. ROMNEY, Mr. LUJÁN, Mr. HEINRICH, and Mr. BENNETT):

S. 2247. A bill to reauthorize the Bureau of Reclamation to provide cost-shared funding

to implement the endangered and threatened fish recovery programs for the Upper Colorado and San Juan River Basins; to the Committee on Energy and Natural Resources.

By Ms. HASSAN (for herself and Mr. LANKFORD):

S. 2248. A bill to require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls; to the Committee on Homeland Security and Governmental Affairs.

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

S. 2249. A bill to improve the timeliness, resiliency, and transparency of passport processing operations, and for other purposes; to the Committee on Foreign Relations.

By Mr. BENNET (for himself, Mr. MORAN, and Mr. HEINRICH):

S. 2250. A bill to amend the Food Security Act of 1985 to establish a groundwater conservation easement program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 2251. A bill to improve the cybersecurity of the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. DURBIN, Mr. CRUZ, Mr. CARDIN, and Mr. SCOTT of Florida):

S. Res. 287. A resolution commemorating the second anniversary of peaceful protests in Cuba on July 11, 2021, condemning the ongoing acts of repression and human rights violations against the Cuban people by the Cuban regime, and calling for the immediate release of all arbitrarily detained Cuban citizens; to the Committee on Foreign Relations.

By Mr. HAGERTY (for himself and Mrs. BLACKBURN):

S. Res. 288. A resolution observing the 150th anniversary of Vanderbilt University; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mr. SULLIVAN, and Mr. PADILLA):

S. Res. 289. A resolution expressing support for the designation of July 2023 as "American Grown Flower Month"; considered and agreed to.

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

S. Res. 290. A resolution honoring the life of Oliver Hazard Perry Morton; considered and agreed to.

ADDITIONAL COSPONSORS

S. 140

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 140, a bill to combat organized crime involving the illegal acquisition of retail goods for the purpose of selling those illegally obtained goods through physical and online retail marketplaces.

S. 308

At the request of Mr. ROMNEY, the name of the Senator from Indiana (Mr.

BRAUN) was added as a cosponsor of S. 308, a bill to end the treatment of the People's Republic of China as a developing nation.

S. 452

At the request of Mr. MANCHIN, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 452, a bill to require the Secretary of Energy to establish a Nuclear Fuel Security Program, expand the American Assured Fuel Supply Program, and submit a report on a civil nuclear credit program, and for other purposes.

S. 471

At the request of Mr. LANKFORD, the names of the Senator from Wyoming (Ms. LUMMIS) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 471, a bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions.

S. 498

At the request of Ms. ROSEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 498, a bill to reauthorize and improve a grant program to assist institutions of higher education in establishing maintaining, improving, and operating Student Veteran Centers.

S. 656

At the request of Mrs. FISCHER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 656, a bill to amend title 38, United States Code, to revise the rules for approval by the Secretary of Veterans Affairs of commercial driver education programs for purposes of veterans education assistance, and for other purposes.

S. 711

At the request of Mr. BUDD, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 711, a bill to require the Secretary of the Treasury to mint coins in commemoration of the invaluable service that working dogs provide to society.

S. 714

At the request of Mr. BARRASSO, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 714, a bill to require that any debt limit increase or suspension be balanced by equal spending cuts over the next decade.

S. 740

At the request of Mr. BOOZMAN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of 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.

S. 759

At the request of Mr. WARNOCK, the name of the Senator from Michigan

(Mr. PETERS) was added as a cosponsor of S. 759, a bill to authorize the National Detector Dog Training Center, and for other purposes.

S. 767

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 767, a bill to enhance mental health and psychosocial support within United States development and humanitarian assistance programs.

S. 789

At the request of Mr. VAN HOLLEN, the names of the Senator from Michigan (Mr. PETERS), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 789, a bill to require the Secretary of the Treasury to mint a coin in recognition of the 100th anniversary of the United States Foreign Service and its contribution to United States diplomacy.

S. 813

At the request of Mr. LUJÁN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 813, a bill to direct the Secretary of Agriculture to amend regulations to allow for certain packers to have an interest in market agencies, and for other purposes.

S. 912

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

S. 919

At the request of Ms. DUCKWORTH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 919, a bill to restore, reaffirm, and reconcile environmental justice and civil rights, and for other purposes.

S. 985

At the request of Mr. LANKFORD, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 985, a bill to amend the Higher Education Act of 1965 to ensure campus access at public institutions of higher education for religious groups.

S. 993

At the request of Ms. CORTEZ MASTO, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Florida (Mr. RUBIO) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 993, a bill to prohibit certain uses of xylazine, and for other purposes.

S. 1024

At the request of Mr. BOOKER, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1024, a bill to authorize the Secretary of Health and Human Services to award grants to eligible entities to develop and implement a comprehensive program to promote student access to defibrillation in public elementary schools and secondary schools.

S. 1036

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1036, a bill to amend the Food and Nutrition Act of 2008 to streamline nutrition access for older adults and adults with disabilities, and for other purposes.

S. 1084

At the request of Mr. CARDIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1084, a bill to eliminate racial, religious, and other discriminatory profiling by law enforcement, and for other purposes.

S. 1166

At the request of Mr. RUBIO, the name of the Senator from Missouri (Mr. SCHMITT) was added as a cosponsor of S. 1166, a bill to require the Comptroller General of the United States to submit a report on the public health mitigation messaging and guidance of the Centers for Disease Control and Prevention.

S. 1176

At the request of Ms. BALDWIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1176, a bill to direct the Secretary of Labor to issue an occupational safety and health standard that requires covered employers within the health care and social service industries to develop and implement a comprehensive workplace violence prevention plan, and for other purposes.

S. 1288

At the request of Mr. BOOKER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1288, a bill to ensure that contractors of the Department of Agriculture comply with certain labor laws, and for other purposes.

S. 1311

At the request of Mr. KELLY, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 1311, a bill to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes.

S. 1351

At the request of Mr. MERKLEY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Oklahoma (Mr. MULLIN) were added as cosponsors of S. 1351, a bill to study and prevent child abuse in youth residential programs, and for other purposes.

S. 1384

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

S. 1408

At the request of Mr. BOOKER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1408, a bill to amend title 9, United States Code, with respect to arbitration of disputes involving race discrimination.

S. 1447

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1447, a bill to amend the Public Health Service Act to establish a grant program supporting trauma center violence intervention and violence prevention programs, and for other purposes.

S. 1467

At the request of Mr. CARDIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1467, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the purchase of qualified access technology for the blind.

S. 1492

At the request of Mr. MORAN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1492, a bill to provide for the settlement of claims relating to the Shabeh-nay Band Reservation in Illinois, and for other purposes.

S. 1529

At the request of Mr. BOOKER, the names of the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1529, a bill to amend the Animal Welfare Act to provide for greater protection of roosters, and for other purposes.

S. 1544

At the request of Mrs. BLACKBURN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 1544, a bill to amend title XVIII of the Social Security Act to ensure equitable payment for, and preserve Medicare beneficiary access to, diagnostic radio-pharmaceuticals under the Medicare hospital outpatient prospective payment system.

S. 1557

At the request of Ms. CANTWELL, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from North Carolina (Mr. BUDD) were added as cosponsors of S. 1557, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1559

At the request of Mr. BARRASSO, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 1559, a bill to amend the Internal Revenue Code of 1986 to repeal the corporate alternative minimum tax.

S. 1606

At the request of Mr. BOOKER, the names of the Senator from Michigan (Mr. PETERS) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1606, a bill to end preventable maternal mortality, severe maternal morbidity, and maternal health disparities in the United States, and for other purposes.

S. 1656

At the request of Ms. HIRONO, the name of the Senator from Vermont

(Mr. WELCH) was added as a cosponsor of S. 1656, a bill to protect the privacy of personal reproductive or sexual health information, and for other purposes.

S. 1669

At the request of Mr. MARKEY, the names of the Senator from Georgia (Mr. OSSOFF) and the Senator from Tennessee (Mrs. BLACKBURN) were added as cosponsors of S. 1669, a bill to require the Secretary of Transportation to issue a rule requiring access to AM broadcast stations in motor vehicles, and for other purposes.

S. 1681

At the request of Ms. LUMMIS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1681, a bill to amend the Radiation Exposure Compensation Act with respect to claims relating to uranium mining.

S. 1731

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1731, a bill to provide grants to enable nonprofit disability organizations to develop training programs that support safe interactions between law enforcement officers and individuals with disabilities and older individuals.

S. 1811

At the request of Mr. WICKER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1811, a bill to ensure treatment in the military based on merit and performance, and for other purposes.

S. 1829

At the request of Mr. RUBIO, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 1829, a bill to impose sanctions with respect to persons engaged in the import of petroleum from the Islamic Republic of Iran, and for other purposes.

S. 1833

At the request of Mr. MANCHIN, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1833, a bill to prohibit the issuance of an interim or final rule that amends, updates, modifies, or replaces the North Atlantic Right Whale vessel strike reduction rule until mitigation protocols are fully developed and deployed.

S. 1837

At the request of Mr. FETTERMAN, the names of the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 1837, a bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to include spotted lanternfly control research and development as a high-priority research and extension initiative, and for other purposes.

S. 1853

At the request of Mr. BENNET, the names of the Senator from Oregon (Mr.

WYDEN) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 1853, a bill to amend the Healthy Forests Restoration Act of 2003 to reauthorize and improve the Water Source Protection Program, and for other purposes.

S. 1877

At the request of Mr. BRAUN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1877, a bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to carry out a program under which the Secretary provides certain individuals with the opportunity to enroll in high technology programs of education that the Secretary determines provide training or skills sought by employers in a relevant field or industry, and for other purposes.

S. 1885

At the request of Ms. CORTEZ MASTO, the names of the Senator from New Mexico (Mr. LUJÁN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1885, a bill to eliminate employment-based visa caps on abused, abandoned, and neglected children eligible for humanitarian status, and for other purposes.

S. 1916

At the request of Mr. BOOKER, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 1916, a bill to establish in the Department of State the Office to Monitor and Combat Islamophobia, and for other purposes.

S. 1968

At the request of Mr. TUBERVILLE, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 1968, a bill to modify the annual and aggregate limits of Federal Unsubsidized Stafford Loans for graduate and professional students, and to terminate Federal Direct PLUS Loans for graduate and professional students, and for other purposes.

S. 1971

At the request of Mr. CORNYN, the name of the Senator from Alabama (Mr. TUBERVILLE) was added as a cosponsor of S. 1971, a bill to amend the Higher Education Act of 1965 to provide for loan repayment simplification and income-driven repayment reform.

S. 2035

At the request of Mr. ROUNDS, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2035, a bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to make additional coverage under the Noninsured Crop Disaster Assistance Program available for crops and grasses used for grazing, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the names of the Senator from Oklahoma (Mr. LANKFORD), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Kansas (Mr. MARSHALL),

the Senator from Michigan (Ms. STABENOW), the Senator from Wyoming (Ms. LUMMIS), the Senator from Arizona (Ms. SINEMA), the Senator from South Dakota (Mr. ROUNDS), the Senator from Nevada (Ms. ROSEN), the Senator from Florida (Mr. RUBIO), the Senator from North Carolina (Mr. TILLIS), the Senator from Indiana (Mr. BRAUN) and the Senator from California (Mr. PADILLA) were added as cosponsors of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2087

At the request of Ms. LUMMIS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2087, a bill to reauthorize the Congressional Award Act.

S. 2129

At the request of Mr. LANKFORD, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 2129, a bill to amend title XVIII of the Social Security Act to require PDP sponsors of a prescription drug plan and Medicare Advantage organizations offering an MA-PD plan under part D of the Medicare program that use a formulary to include certain drugs and biosimilar biological products on such formulary, and for other purposes.

S. 2180

At the request of Mr. BENNET, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2180, a bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to establish a small farm EQIP subprogram under the environmental quality incentives program, and for other purposes.

S. 2184

At the request of Mr. CARDIN, the names of the Senator from Illinois (Ms. DUCKWORTH), the Senator from Hawaii (Ms. HIRONO), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 2184, a bill to amend the Small Business Act to improve the Women's Business Center Program, and for other purposes.

S. 2185

At the request of Mr. CARDIN, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2185, a bill to amend the Small Business Act to require an annual report on entrepreneurial development programs, and for other purposes.

S. 2205

At the request of Mr. LEE, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2205, a bill to regulate human cadaveric islets for transplantation as organs.

S. 2223

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 2223, a bill to amend the Food, Conservation, and Energy Act of 2008 to provide families year-round access to nutrition incentives under the Gus Schumacher Nutrition Incentive Program, and for other purposes.

S. RES. 109

At the request of Mr. MURPHY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 109, a resolution requesting information on Saudi Arabia's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

S. RES. 208

At the request of Mr. COTTON, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. Res. 208, a resolution expressing support for the designation of November 12, 2023, as "National Warrior Call Day" and recognizing the important of connecting warriors in the United States to support structures necessary to transition from the battlefield, especially peer-to-peer connection.

S. RES. 269

At the request of Mr. BARRASSO, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Louisiana (Mr. KENNEDY) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. Res. 269, a resolution designating July 22, 2023, as "National Day of the American Cowboy".

S. RES. 274

At the request of Mr. BLUMENTHAL, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 274, a resolution expressing the sense of the Senate to reduce traffic fatalities to zero by 2050.

S. RES. 276

At the request of Ms. DUCKWORTH, the names of the Senator from Washington (Mrs. MURRAY), the Senator from Massachusetts (Mr. MARKEY) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Res. 276, a resolution expressing opposition to the use of State power against people in the United States seeking essential health care, including criminalization of the full range of sexual and reproductive health care such as abortion, gender-affirming care, and contraceptive care, and disapproving of State punishment of people for their pregnancy outcomes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 287—COMMEMORATING THE SECOND ANNIVERSARY OF PEACEFUL PROTESTS IN CUBA ON JULY 11, 2021, CONDEMNING THE ONGOING ACTS OF REPRESSION AND HUMAN RIGHTS VIOLATIONS AGAINST THE CUBAN PEOPLE BY THE CUBAN REGIME, AND CALLING FOR THE IMMEDIATE RELEASE OF ALL ARBITRARILY DETAINED CUBAN CITIZENS

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. DURBIN, Mr. CRUZ, Mr. CARDIN, and Mr. SCOTT of Florida) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 287

Whereas July 11, 2023, marks 2 years since tens of thousands of Cuban citizens took to the streets to protest peacefully and call for the respect of their basic human rights and fundamental freedoms and the end of communist dictatorship in Cuba;

Whereas the demonstrations on July 11, 2021, were the largest peaceful protests witnessed in Cuba in more than 25 years, with courageous Cuban men, women, and youth taking to the streets in at least 50 different cities and towns across every province to affirm a profound aspiration for democratic change and to denounce repression and corruption by the Cuban regime;

Whereas the demonstrations followed decades of grievances from the Cuban people regarding the dictatorship, arbitrary repression, and severe mismanagement of the country, including shortages of food and basic medicine, and frequent power outages;

Whereas 2 years after the demonstrations, repression by the Cuban regime against Cuban citizens has reached the highest rate in recorded history, with thousands of arbitrary arrests, hundreds of politically motivated convictions, and credible allegations of torture and other abuses related to such protests, including—

(1) charges against approximately 800 Cuban citizens, including 115 protestors between the ages of 16 and 20, with sedition and other illegitimate charges;

(2) the sentencing of more than 550 Cuban citizens, including more than 20 underage protestors, many of whom have been sentenced to prison terms up to 30 years; and

(3) the subjection of the majority of prisoners to inhumane conditions, including intentional deprivation of medical care, sleep, food, and other basic necessities;

Whereas, according to the Cuban human rights organization Justicia 11J, as of the end of 2022, more than 600 protestors from the demonstrations remain arbitrarily detained for exercising their fundamental freedoms, including the rights to freedom of expression and peaceful assembly;

Whereas international human rights organizations have condemned the Cuban regime for violating human rights and fundamental freedoms and have called for the immediate release of peaceful demonstrators, including organizations and individuals such as—

(1) Human Rights Watch, which assessed that the Cuban regime committed systematic human rights violations in response to massive antigovernment protests in July 2021 with the intent of punishing protestors and deterring future demonstrations;

(2) Amnesty International, which has called on the Cuban regime to guarantee the

human rights of Cuban prisoners of conscience and hundreds of other individuals arbitrarily detained for exercising their human rights;

(3) former United Nations High Commissioner for Human Rights Michelle Bachelet, who has called on the Cuban regime to release protestors and several journalists arrested at various demonstrations and denounced the excessive use of force by the regime; and

(4) the Inter-American Commission on Human Rights, which has condemned state repression and the use of force during peaceful social protests in Cuba and urged the regime to engage in dialogue to address citizen demands;

Whereas Cuba has some of the most restrictive laws on freedom of assembly and freedom of the press in the world, which have only further intensified since the demonstrations on July 11, 2021, with the passage of amendments to Penal Code of the Republic of Cuba on December 1, 2022, which limit freedom of expression online by criminalizing the sharing of undefined “fake information”;

Whereas the peaceful protests in 2021 continue to inspire numerous protestors across Cuba seeking to advance the fundamental rights of the Cuban people, such as the May 8, 2023, protests in the town of Caimanera;

Whereas, since July 11, 2021, the Cuban regime continues the systemic repression of protestors, particularly the selective and deliberate criminalization of individuals who exercise their rights to freedom of expression, assembly, and association by speaking up against government policies and the arbitrary suspension of internet communications, according to a May 12, 2023, statement by the Inter-American Commission on Human Rights;

Whereas the report entitled “2022 Country Reports on Human Rights Practices: Cuba”, published by the Department of State, details “significant human rights issues” in Cuba, including credible reports of extrajudicial killings, restrictions on freedom of movement, restrictions on freedom of religious expression, unreasonable restrictions on political participation, and state-sponsored forced labor practices;

Whereas, according to the nongovernmental organization Prisoners Defenders, the Cuban regime continues to detain an estimated 1,048 political prisoners;

Whereas, on June 12, 2023, the Inter-American Commission on Human Rights concluded that there was “serious and sufficient” evidence to hold the Cuban regime responsible for the 2012 murders of Nobel Peace Prize nominee Oswaldo Paya and activist Harold Cepero, and called on the Cuban regime—

(1) to make full reparation for the murders;

(2) to initiate a prompt investigation to identify the responsible actors;

(3) to pursue accountability measures against such actors; and

(4) to undertake structural reforms to protect human rights defenders in the Cuba; and

Whereas, despite gross and systemic efforts to violate the human rights of the Cuban people, Cuba remains a member of the United Nations Human Rights Council, a position the Cuban regime uses to prevent scrutiny on the human rights records of other authoritarian regimes: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the second anniversary of the largest peaceful protests against the communist dictatorship in Cuba;

(2) expresses solidarity with the brave people of Cuba who participated in the peaceful demonstrations on July 11, 2021 and were subsequently arbitrarily detained and sentenced;

(3) commits to supporting the people of Cuba in their aspirations to transition to democracy under a government that respects human rights and democratic freedoms;

(4) calls on the Secretary of State—

(A) to advocate for the immediate release and humane treatment of all political prisoners and democratic protestors arbitrarily detained in Cuba in the aftermath of the peaceful demonstrations on July 11, 2021;

(B) to continue supporting independent Cuban civil society groups and democratic activists;

(C) to call for—

(i) the recognition of the June 12, 2023, decision of the Inter-American Court of Human Rights, holding the regime responsible for the murders of democratic activists Oswaldo Paya and Harold Cepero; and

(ii) accountability for the murders; and

(D) to work with member states of the United Nations to deny Cuba a second consecutive term on the United Nations Human Rights Council; and

(5) urges democratic governments and legislatures in Europe, Asia, Latin America, and the Caribbean—

(A) to speak out against the ongoing repression facing the Cuban people and call on the Cuban regime to immediately release all political prisoners and democratic protestors arbitrarily detained in Cuba in the aftermath of the peaceful demonstrations of July 11, 2021;

(B) to publicly recognize the June 12, 2023, decision of the Inter-American Court of Human Rights, finding the Cuban regime directly responsible for the murders of democratic activists Oswaldo Paya and Harold Cepero, and call on the Cuban regime to implement the recommendations in the decision; and

(C) to hold the Cuban regime accountable for violent repression and other human rights violations in the aftermath of the July 2021 protests, including by committing to deny Cuba a second consecutive term on the United Nations Human Rights Council.

SENATE RESOLUTION 288—OBSERVING THE 150TH ANNIVERSARY OF VANDERBILT UNIVERSITY

Mr. HAGERTY (for himself and Mrs. BLACKBURN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 288

Whereas Vanderbilt University was founded in 1873 to create opportunities, promote community engagement, and inspire future generations of scholars;

Whereas Vanderbilt University, forged in Tennessee spirit, has grown from a regional university to one of the premier research institutions in the United States;

Whereas Vanderbilt University has, since its inception, provided distinguished educational opportunities to tens of thousands of undergraduate, graduate, and professional students from across the United States and around the world;

Whereas the partnerships Vanderbilt University developed with stakeholders foster the fulfillment of human potential by supporting organizations and working to bring the people and resources of Vanderbilt University together in service of others;

Whereas the world-renowned researchers of Vanderbilt University are using revolutionary innovation to address the most urgent and complex problems of society;

Whereas, with over 154,000 active alumni and 6 Nobel Laureates, Vanderbilt University graduates throughout the world lead in their respective fields and continue to push the limits of scientific discovery;

Whereas Vanderbilt University student-athletes set new benchmarks for excellence both on and off the field; and

Whereas Vanderbilt University is proud of, but not satisfied with, its accomplishments of the past 150 years and aims to grow to become the Great University of the 21st century: Now, therefore, be it

Resolved, That the Senate—

(1) honors and congratulates Vanderbilt University on the occasion of its 150th anniversary;

(2) commends Vanderbilt University for its remarkable history of seminal research and educating generations of leaders, scientists, teachers, nurses, doctors, and engineers; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the Chancellor of Vanderbilt University, Daniel Diermeier; and

(B) the Chair of the Board of Trust, Bruce R. Evans.

SENATE RESOLUTION 289—EXPRESSING SUPPORT FOR THE DESIGNATION OF JULY 2023 AS “AMERICAN GROWN FLOWER MONTH”

Mrs. FEINSTEIN (for herself, Mr. SULLIVAN, and Mr. PADILLA) submitted the following resolution; which was considered and agreed to:

S. RES. 289

Whereas cut flower and foliage growers in the United States are hard-working, dedicated individuals who bring beauty, economic stimulus, and pride to their communities and the United States;

Whereas the people of the United States have a long history of using flowers and foliage grown in the United States to bring beauty to important events and express affection for loved ones;

Whereas consumers spend over \$59,000,000,000 each year on floral products, including cut flowers, garden plants, bedding, and indoor plants;

Whereas, each year, an increasing number of households in the United States purchase fresh-cut flowers and foliage from more than 12,000 florists and floral establishments;

Whereas the annual per capita spending on floral products by consumers in the United States is more than \$177;

Whereas the people of the United States increasingly want to support domestically produced foods and agricultural products and would prefer to buy locally grown flowers and foliage whenever possible, yet a majority of domestic consumers do not know where the flowers and foliage they purchase are grown;

Whereas, in response to increased demand, the “Certified American Grown” logo was created in July 2014 in order to educate and empower consumers to purchase flowers and foliage from domestic producers;

Whereas millions of stems of domestically grown flowers and foliage are now “Certified American Grown”;

Whereas domestic flower and foliage farmers produce thousands of varieties of flowers and foliage across the United States, such as peonies in Alaska, Gerbera daisies in California, lupines in Maine, tulips in Washington, lilies in Oregon, larkspur in Texas, and leatherleaf in Florida;

Whereas the flower and foliage varieties with the highest production in the United States are tulips, lilies, Gerbera daisies, gladiolas, leatherleaf, irises, and roses;

Whereas people in every State have access to domestically grown flowers and foliage, yet only 22 percent of flowers and foliage

sold in the United States are domestically grown;

Whereas the domestic-cut flower and foliage industry—

(1) creates a substantial economic impact daily; and

(2) supports hundreds of growers, thousands of small businesses, and tens of thousands of jobs in the United States;

Whereas most domestic-cut flowers and foliage are sold in the United States within 24 to 48 hours after harvest and last longer than flowers shipped longer distances;

Whereas flowers and foliage grown domestically enhance the ability of the people of the United States to festively celebrate weddings and births and honor those who have passed;

Whereas flower and foliage giving has been a holiday tradition in the United States for generations;

Whereas flowers and foliage speak to the beauty of motherhood on Mother’s Day and to the spirit of love on Valentine’s Day;

Whereas flowers and foliage help commemorate the service and sacrifice of members of the Armed Forces on Memorial Day and Veterans Day; and

Whereas the Senate encourages the cultivation of flowers and foliage in the United States by domestic flower and foliage farmers: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of July 2023 as “American Grown Flower Month”;

(2) recognizes that purchasing flowers and foliage grown in the United States supports the farmers, small businesses, jobs, and economy of the United States;

(3) recognizes that growing flowers and foliage in the United States is a vital part of the agricultural industry of the United States;

(4) recognizes that cultivating flowers and foliage domestically enhances the ability of the people of the United States to festively celebrate holidays and special occasions; and

(5) urges all people of the United States to proactively showcase flowers and foliage grown in the United States in order to show support for—

(A) the flower and foliage farmers, processors, and distributors in the United States; and

(B) the agricultural industry of the United States overall.

SENATE RESOLUTION 290—HONORING THE LIFE OF OLIVER HAZARD PERRY MORTON

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

S. RES. 290

Whereas Oliver Hazard Perry Morton (referred to in this preamble as “Morton”) was born in Wayne County, Indiana, on August 4, 1823;

Whereas 2023 is the 200th anniversary of Morton’s birth;

Whereas Morton attended Miami University in Ohio and studied law both in Centerville, Indiana, and in law school at what is known today as the University of Cincinnati;

Whereas, in 1852, Morton was chosen to serve on the bench of the Sixth Judicial Circuit Court of Indiana;

Whereas Morton was elected lieutenant governor of Indiana on the ticket with Henry S. Lane and became governor in 1861 when Lane was elected to the Senate;

Whereas Morton was the first native born Hoosier to be elected Governor of Indiana;

Whereas Morton served as Governor of Indiana for 6 years between 1861 and 1867 and was a loyal supporter of the Union’s efforts during the Civil War;

Whereas the Civil War started during Morton’s tenure as governor, and Morton responded to President Abraham Lincoln’s call for troops by providing 6,000 men;

Whereas, when the Indiana legislature neglected to grant funding for the war effort, Morton personally raised money to equip and pay the soldiers;

Whereas Morton was re-elected as governor in 1864 and served until 1867, when he was elected to the Senate;

Whereas Morton was a Senator from 1867 to 1877;

Whereas Morton unsuccessfully ran for the Republican presidential nomination in 1876;

Whereas the Oliver P. Morton House in Centerville, Indiana, was added to the National Register of Historic Places in 1975 and is named in Morton’s honor;

Whereas there are statues of Morton on the steps of the Indiana Statehouse entrance and at the Soldiers and Sailors Monument in Indianapolis, Indiana;

Whereas Morton is 1 of Indiana’s 2 assigned statues in the National Statuary Hall Collection in the United States Capitol; and

Whereas Morton died on November 1, 1877, and is buried at Crown Hill Cemetery in Indianapolis, Indiana; Now, therefore, be it

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

(1) the dedication and efforts of Governor Oliver Hazard Perry Morton helped preserve the Union during the Civil War and were of importance to the State of Indiana during that difficult time in United States history;

(2) the continued legacy of Governor Oliver Hazard Perry Morton continues to enrich the community and State of Indiana and he is 1 of Indiana’s most notable Hoosiers; and

(3) the dedication and life of Governor Oliver Hazard Perry Morton should be recognized, especially in 2023, which marks the 200th anniversary of his birth.

AMENDMENTS SUBMITTED AND PROPOSED

SA 140. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 141. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 142. Mr. TESTER (for himself, Mr. CRAPO, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mrs. CAPITO, Mr. CARDIN, Mr. CASEY, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. CRAMER, Mr. CRUZ, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FETTERMAN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HASSAN, Ms. HIRONO, Mrs. HYDE-SMITH, Mr. Kaine, Mr. KELLY, Mr. KING, Mr. LUJÁN, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. RICKETTS, Mr. RISCH, Ms. ROSEN, Mr. ROUNDS, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. STABENOW, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr. WYDEN, Mr. DAINES, Mr. PETERS, Ms. SINEMA, Mr. MARKEY, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 143. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 144. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 145. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 146. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 147. Mr. TESTER (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 148. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 149. Mr. HOEVEN (for himself and Ms. SMITH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 150. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 151. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 152. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 153. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

SA 154. Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 140. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII, insert the following:

SEC. ____ . PROHIBITION ON REQUIRING DEFENSE CONTRACTORS TO PROVIDE INFORMATION RELATING TO GREENHOUSE GAS EMISSIONS.

(a) DEFINITIONS.—In this section:

(1) GREENHOUSE GAS.—The term “greenhouse gas” means—

- (A) carbon dioxide;
- (B) methane;
- (C) nitrous oxide;
- (D) nitrogen trifluoride;
- (E) hydrofluorocarbons;
- (F) perfluorocarbons; or
- (G) sulfur hexafluoride.

(2) GREENHOUSE GAS INVENTORY.—The term “greenhouse gas inventory” means a quantified list of an entity’s annual greenhouse gas emissions.

(3) SCOPE 1 EMISSIONS.—The term “Scope 1 emissions” means direct greenhouse gas

emissions from sources that are owned or controlled by the reporting entity.

(4) SCOPE 2 EMISSIONS.—The term “Scope 2 emissions” means indirect greenhouse gas emissions associated with the generation of electricity, heating and cooling, or steam, when these are purchased or acquired for the reporting entity’s own consumption but occur at sources owned or controlled by another entity.

(5) SCOPE 3 EMISSIONS.—The term “Scope 3 emissions” means greenhouse gas emissions, other than those that are Scope 2 emissions, that are a consequence of the operations of the reporting entity but occur at sources other than those owned or controlled by the entity.

(b) PROHIBITION ON DISCLOSURE REQUIREMENTS.—The Secretary of Defense may not require the recipient of a Federal contract to provide a greenhouse gas inventory or to provide any other report on greenhouse gas emissions, including Scope 1 emissions, Scope 2 emissions, or Scope 3 emissions.

SA 141. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3 ____ . MODIFICATIONS TO MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

(a) PROJECTS PROPOSED WITHIN TWO NAUTICAL MILES OF ANY INTERCONTINENTAL BALLISTIC MISSILE LAUNCH FACILITY OR CONTROL CENTER.—Section 183a of title 10, United States Code, is amended—

(1) in subsection (c)(7), in the second sentence—

(A) by inserting “within two nautical miles of any intercontinental ballistic missile launch facility or control center,” after “any project proposed”; and

(B) by striking “training route” and inserting “training route.”;

(2) in subsection (d)(2)—

(A) in subparagraph (B), by inserting “or any intercontinental ballistic missile launch facility or control center” after “military training routes”; and

(B) in subparagraph (E), by striking “or a Deputy Under Secretary of Defense” and inserting “a Deputy Under Secretary of Defense, or the Assistant Secretary of Defense for Energy, Installations, and Environment”; and

(3) in subsection (e)(1)—

(A) by inserting after the first sentence the following: “In the case of any energy project or antenna structure project with proposed structures located within two nautical miles of an intercontinental ballistic missile launch facility or control center, the Secretary of Defense shall issue a finding of unacceptable risk to national security for such project if the mitigation actions do not include removal of all such proposed structures from the project after receiving notice of presumed risk from the Clearinghouse under subsection (c)(2).”; and

(B) by striking “The Secretary of Defense’s finding of unacceptable risk to national security” and inserting “Any finding of unacceptable risk to national security by the Secretary of Defense under this paragraph”.

(b) INCLUSION OF ANTENNA STRUCTURE PROJECTS.—

(1) IN GENERAL.—Such section is further amended—

(A) by inserting “or antenna structure projects” after “energy projects” each place it appears; and

(B) by inserting “or antenna structure project” after “energy project” each place it appears (except for subsection (h)(2)).

(2) ANTENNA STRUCTURE PROJECT DEFINED.—Section 183a(h) of such title is amended by adding at the end the following new paragraph:

“(10) The term ‘antenna structure project’—

“(A) means a project to construct a structure located within two nautical miles of any intercontinental ballistic missile launch facility or control center that is constructed or used to transmit radio energy or that is constructed or used for the primary purpose of supporting antennas to transmit or receive radio energy (or both), and any antennas and other appurtenances mounted on the structure, from the time construction of the supporting structure begins until such time as the supporting structure is dismantled; and

“(B) does not include any project in support of or required by an intercontinental ballistic missile launch facility or control center.”.

SA 142. Mr. TESTER (for himself, Mr. CRAPO, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mrs. CAPITO, Mr. CARDIN, Mr. CASEY, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. CRAMER, Mr. CRUZ, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FETTERMAN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HASSAN, Ms. HIRONO, Mrs. HYDE-SMITH, Mr. KAINE, Mr. KELLY, Mr. KING, Mr. LUJÁN, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. RICKETTS, Mr. RISCH, Ms. ROSEN, Mr. ROUNDS, Mr. SANDERS, Mr. SCHATZ, Mrs. SHAHEEN, Ms. STABENOW, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr. WYDEN, Mr. DAINES, Mr. PETERS, Ms. SINEMA, Mr. MARKEY, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title VI, insert the following:

SEC. 6 ____ . ELIGIBILITY OF DISABILITY RETIREES WITH FEWER THAN 20 YEARS OF SERVICE AND A COMBAT-RELATED DISABILITY FOR CONCURRENT RECEIPT OF VETERANS’ DISABILITY COMPENSATION AND RETIRED PAY.

(a) CONCURRENT RECEIPT IN CONNECTION WITH CSRC.—Section 1413a(b)(3)(B) of title 10, United States Code, is amended by striking “creditable service,” and all that follows and inserting the following: “creditable service—

“(i) the retired pay of the retiree is not subject to reduction under sections 5304 and 5305 of title 38; and

“(ii) no monthly amount shall be paid the retiree under subsection (a).”.

(b) CONCURRENT RECEIPT GENERALLY.—Section 1414(b)(2) of title 10, United States Code, is amended by striking “Subsection (a)” and

all that follows and inserting the following:
 “Subsection (a)—

“(A) applies to a member described in paragraph (1) of that subsection who is retired under chapter 61 of this title with less than 20 years of service otherwise creditable under chapter 1405 of this title, or with less than 20 years of service computed under section 12732 of this title, at the time of the member's retirement if the member has a combat-related disability (as that term is defined in section 1413a(e) of this title), except that in the application of subsection (a) to such a member, any reference in that subsection to a qualifying service-connected disability shall be deemed to be a reference to that combat-related disability; but

“(B) does not apply to any member so retired if the member does not have a combat-related disability.”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENTS REFLECTING END OF CURRENT RECEIPT PHASE-IN PERIOD.—Section 1414 of title 10, United States Code, is further amended—

(A) in subsection (a)(1)—
 (i) by striking the second sentence; and
 (ii) by striking subparagraphs (A) and (B);
 (B) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(C) in subsection (d), as redesignated, by striking paragraphs (3) and (4).

(2) SECTION HEADING.—The heading of such section 1414 is amended to read as follows:

“§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt”.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 1414 and inserting the following new item:

“1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt.”.

(4) CONFORMING AMENDMENT.—Section 1413a(f) of such title is amended by striking “Subsection (d)” and inserting “Subsection (c)”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month beginning after the date of the enactment of this Act and shall apply to payments for months beginning on or after that date.

SA 143. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Critical Health Access Resource and Grant Extensions Act of 2023

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the “Critical Health Access Resource and Grant Extensions Act of 2023” or the “CHARGE Act of 2023”.

PART I—HOMELESSNESS MATTERS

SEC. 1092. GRANTS AND PER DIEM PAYMENTS PROVIDED BY THE SECRETARY OF VETERANS AFFAIRS FOR SERVICES FURNISHED TO HOMELESS VETERANS.

(a) LIMITATION ON TRANSITIONAL HOUSING BEDS.—Section 2011 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(i) LIMITATION ON TRANSITIONAL HOUSING BEDS.—The Secretary may not make grants under this section or provide per diem payments under section 2012 of this title for more than 12,000 transitional housing beds for homeless veterans furnished by grant recipients or eligible entities under such sections on average each year.”.

(b) REPORTS REQUIRED.—Section 2012 of such title is amended by adding at the end the following new subsection:

“(f) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of the CHARGE Act of 2023, and not less frequently than twice each year thereafter, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the rate for per diem payments under this section that includes, for each Veterans Integrated Service Network of the Department, the following data:

“(1) The average rate for such payments.
 “(2) A list of locations where the rate for such payments is within 10 percent of the maximum rate for such payments authorized under this section.

“(3) The average length of stay by veterans participating in programs described in section 2011(a) of this title.”.

(c) MAXIMUM RATE.—During the three-year period beginning on the date of the enactment of this Act, section 2012(a)(2)(B)(i)(II)(aa)(BB) of title 38, United States Code, shall be applied and administered by substituting “200” for “115”.

(d) STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a strategic plan for the provision of grants and per diem payments for services furnished to homeless veterans under sections 2011 and 2012 of title 38, United States Code.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) A method for administering grant funding equitably without using the rate authorized for State homes for domiciliary care under subsection (a)(1)(A) of section 1741 of title 38, United States Code, as the Secretary may increase from time to time under subsection (c) of that section, that takes into account—

(i) the wide variety of services furnished by grant recipients and eligible entities under sections 2011 and 2012 of title 38, United States Code;

(ii) varying costs of living across different geographic locations;

(iii) varying availability of affordable housing in different geographic locations;

(iv) circumstances of housing insecurity in rural and Tribal communities;

(v) veterans with significant medical care needs; and

(vi) the changing dynamic of the veteran population nationwide.

(B) A plan and timeline for implementation of the method included under subparagraph (A).

(C) An estimate of increased costs or savings per year under the plan.

(D) An overview of the different grants that will be available once the plan is implemented.

SEC. 1093. AUTHORIZATION FOR USE OF CERTAIN FUNDS FOR IMPROVED FLEXIBILITY IN PROVISION OF ASSISTANCE TO HOMELESS VETERANS.

(a) IN GENERAL.—Subtitle VII of chapter 20 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 2069. Flexibility in provision of assistance to homeless veterans

“(a) USE OF FUNDS.—The Secretary may provide to homeless veterans and veterans participating in the program carried out under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)), as the Secretary determines necessary, the following:

“(1) Assistance required for the safety and survival of the veteran (such as food, shelter, clothing, blankets, and hygiene items).

“(2) Transportation required to support the stability and health of the veteran (such as transportation for appointments with service providers, the conduct of housing searches, and the obtaining of food and supplies).

“(3) Communications equipment and services (such as tablets, smartphones, disposable phones, and related service plans) required to support the stability and health of the veteran (such as through the maintenance of contact with service providers, prospective landlords, and family members).

“(4) Such other assistance as the Secretary determines necessary.

“(b) HOMELESS VETERANS ON DEPARTMENT LAND.—(1) The Secretary may collaborate, to the extent practicable, with one or more organizations to manage the use of land of the Department for homeless veterans for living and sleeping.

“(2) Collaboration under paragraph (1) may include the provision by either the Secretary or the head of the organization concerned of food services and security for property, buildings, and other facilities owned or controlled by the Department.

“(c) SUNSET.—The authorities provided by this section shall terminate on the date that is three years after the date of the enactment of the CHARGE Act of 2023.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title is amended by adding at the end the following new item:

“2069. Flexibility in provision of assistance to homeless veterans.”.

SEC. 1094. ACCESS TO DEPARTMENT OF VETERANS AFFAIRS TELEHEALTH SERVICES.

(a) IN GENERAL.—Subtitle VII of chapter 20 of title 38, United States Code, as amended by section 1093(a), is further amended by adding at the end the following new section:

“§ 2070. Access to telehealth services

“To the extent practicable, the Secretary shall ensure that veterans participating in or receiving services from a program under this chapter have access to telehealth services to which such veterans are eligible under the laws administered by the Secretary, including by ensuring that telehealth capabilities are available to—

“(1) such veterans;

“(2) case managers of the Department of programs for homeless veterans authorized under this chapter; and

“(3) community-based service providers for homeless veterans receiving funds from the Department through grants or contracts.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 20 of such title, as amended by section 1093(b), is further amended by adding at the end the following new item:

“2070. Access to telehealth services.”.

PART II—MATTERS RELATING TO CAREGIVERS

SEC. 1095. AUTHORIZED VIRTUAL VISITS UNDER CAREGIVER PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

On or before September 30, 2023, notwithstanding any requirement to the contrary under section 1720G of title 38, United States Code, or part 71 of title 38, Code of Federal Regulations, or successor regulations, the Secretary of Veterans Affairs may complete any home visit required under such section with respect to a veteran and their caregiver through video conference or other available telehealth modality, if agreed to by the veteran or caregiver.

PART III—STATE VETERANS HOMES

SEC. 1096. STATE HOME DEFINED.

In this part, the term “State home” has the meaning given that term in section 101(19) of title 38, United States Code.

SEC. 1097. TEMPORARY WAIVER OF OCCUPANCY RATE REQUIREMENTS FOR RECEIPT OF PER DIEM PAYMENTS.

During the period beginning on the date of the enactment of this Act and ending on September 30, 2024, occupancy rate requirements for State homes for purposes of receiving per diem payments set forth in section 51.40(c) of title 38, Code of Federal Regulations, or successor regulations, shall not apply.

SEC. 1098. PROVISION OF MEDICINE, EQUIPMENT, AND SUPPLIES.

(a) IN GENERAL.—The Secretary of Veterans Affairs may provide to State homes medicines, personal protective equipment, medical supplies, and any other equipment, supplies, and assistance available to the Department of Veterans Affairs.

(b) PERSONAL PROTECTIVE EQUIPMENT DEFINED.—In this section, the term “personal protective equipment” means any protective equipment required to prevent the wearer from contracting an infectious disease, including gloves, N-95 respirator masks, gowns, goggles, face shields, or other equipment required for safety.

SA 144. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10 . . . TECHNICAL CORRECTION TO ELIGIBILITY FOR COUNSELING AND TREATMENT FOR MILITARY SEXUAL TRAUMA TO INCLUDE ALL FORMER MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 1720D of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “a physical assault of a sexual nature” and all that follows through the period at the end and inserting “military sexual trauma.”; and

(B) in paragraph (2)(A), by striking “that was suffered by the member while serving on duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10)”;

(2) by striking subsections (f) and (g) and inserting the following new subsection (f):

“(f) In this section:

“(1) The term ‘former member of the Armed Forces’ means a person who served on active duty, active duty for training, or inactive

duty training, and who was discharged or released therefrom under any condition that is not—

“(A) a discharge by court-martial; or

“(B) a discharge subject to a bar to benefits under section 5303 of this title.

“(2) The term ‘military sexual trauma’ means, with respect to a former member of the Armed Forces, a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the former member of the Armed Forces was serving on duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10).

“(3) The term ‘sexual harassment’ means unsolicited verbal or physical contact of a sexual nature which is threatening in character.”.

SA 145. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10 . . . CLARIFICATION THAT FEDERAL LABORATORIES CAN USE PARTNERSHIP INTERMEDIARIES FOR TECHNOLOGY TRANSFER FUNCTIONS.

Section 23 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3715) is amended—

(1) in subsection (a)(2), by inserting “and transition functions” after “technology transfer”; and

(2) in subsection (c), by inserting “or who can assist a Federal laboratory with technology transition, either out of, or into the Federal laboratory,” after “from a Federal laboratory.”.

SA 146. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. 2 . . . IMPROVEMENTS TO AUTHORITY TO USE PARTNERSHIP INTERMEDIARIES TO PROMOTE DEFENSE RESEARCH AND EDUCATION.

Section 4124(f) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “head of the another” and inserting “head of another”; and

(B) by inserting “or covered laboratory” after “Center” both places it appears; and

(2) in paragraph (2)—

(A) by striking “In this subsection, the term” and inserting the following: “In this subsection:

“(A) The term ‘covered laboratory’ has the meaning given the term ‘laboratory’ in section 12(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)).

“(B) The term”; and

(B) in subparagraph (B), as redesignated by subparagraph (A)—

(i) by striking “or academic institutions that need” and inserting the following: “or academic institutions—

“(i) that need”;

(ii) in clause (i), as designated by clause (i) of this subparagraph, by striking the period at the end and inserting “or covered laboratory; or”; and

(iii) by adding at the end the following new clause:

“(ii) who can assist a Center or covered laboratory with technology transition, either out of, or into the Center or covered laboratory.”.

SA 147. Mr. TESTER (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10 . . . INCREASE IN AMOUNT OF DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.

(a) INCREASE.—Section 1311(a) of title 38, United States Code, is amended in paragraph (1), by striking “of \$1,154” and inserting “equal to 55 percent of the rate of monthly compensation in effect under section 1114(j) of this title”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided by paragraph (2), the amendments made by subsection (a) shall apply with respect to compensation paid under chapter 13 of title 38, United States Code, for months beginning after the date that is six months after the date of the enactment of this Act.

(2) SPECIAL RULE FOR CERTAIN INDIVIDUALS.—

(A) IN GENERAL.—For months beginning after the date that is six months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall pay to an individual described in subparagraph (B) dependents and survivors income security benefit under section 1311 of title 38, United States Code, in the monthly amount that is the greater of the following:

(i) The amount determined under subsection (a)(3) of such section 1311, as in effect on the day before the date of the enactment of this Act.

(ii) The amount determined under subsection (a)(1) of such section 1311, as amended by subsection (a).

(B) INDIVIDUALS DESCRIBED.—An individual described in this subparagraph is an individual eligible for dependents and survivors income security benefit under section 1311 of title 38, United States Code, that is predicated on the death of a veteran before January 1, 1993.

SEC. 10 . . . MODIFICATION OF REQUIREMENTS FOR DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVORS OF CERTAIN VETERANS RATED TOTALLY DISABLED AT TIME OF DEATH.

Section 1318 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “The Secretary” and inserting “(1) Except as provided in paragraph (2), the Secretary”; and

(B) by adding at the end the following new paragraph:

“(2) In any case in which the Secretary makes a payment under paragraph (1) of this

subsection by reason of subsection (b)(1) and the period of continuous rating immediately preceding death is less than 10 years, the amount payable under paragraph (1) of this subsection shall be an amount that bears the same relationship to the amount otherwise payable under such paragraph as the duration of such period bears to 10 years.”; and

(2) in subsection (b)(1), by striking “10 or more years” and inserting “five or more years”.

SA 148. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10 . RECYCLING AND COMPOSTING ACCOUNTABILITY.

(a) DEFINITIONS.—

(1) IN GENERAL.—In this section:

(A) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(B) CIRCULAR MARKET.—The term “circular market” means a market that utilizes industrial processes and economic activities to enable post-industrial and post-consumer materials used in those processes and activities to maintain their highest values for as long as possible.

(C) COMPOST.—The term “compost” means a product that—

(i) is manufactured through the controlled aerobic, biological decomposition of biodegradable materials;

(ii) has been subjected to medium and high temperature organisms, which—

(I) significantly reduce the viability of pathogens and weed seeds; and

(II) stabilize carbon in the product such that the product is beneficial to plant growth; and

(iii) is typically used as a soil amendment, but may also contribute plant nutrients.

(D) COMPOSTABLE MATERIAL.—The term “compostable material” means material that is a feedstock for creating compost, including—

(i) wood;

(ii) agricultural crops;

(iii) paper;

(iv) certified compostable products associated with organic waste;

(v) other organic plant material;

(vi) marine products;

(vii) organic waste, including food waste and yard waste; and

(viii) such other material that is composed of biomass that can be continually replenished or renewed, as determined by the Administrator.

(E) COMPOSTING FACILITY.—The term “composting facility” means a location, structure, or device that transforms compostable materials into compost.

(F) INDIAN TRIBE.—The term “Indian Tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(G) MATERIALS RECOVERY FACILITY.—

(i) IN GENERAL.—The term “materials recovery facility” means a dedicated facility where primarily residential recyclable materials, which are diverted from disposal by the generator and collected separately from municipal solid waste, are mechanically or

manually sorted into commodities for further processing into specification-grade commodities for sale to end users.

(ii) EXCLUSION.—The term “materials recovery facility” does not include a solid waste management facility that may process municipal solid waste to remove recyclable materials.

(H) RECYCLABLE MATERIAL.—The term “recyclable material” means a material that is obsolete, previously used, off-specification, surplus, or incidentally produced for processing into a specification-grade commodity for which a circular market currently exists or is being developed.

(I) RECYCLING.—The term “recycling” means the series of activities—

(i) during which recyclable materials are processed into specification-grade commodities, and consumed as raw-material feedstock, in lieu of virgin materials, in the manufacturing of new products;

(ii) that may include sorting, collection, processing, and brokering; and

(iii) that result in subsequent consumption by a materials manufacturer, including for the manufacturing of new products.

(J) STATE.—The term “State” has the meaning given the term in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(2) DEFINITION OF PROCESSING.—In subparagraphs (G), (H), and (I) of paragraph (1), the term “processing” means any mechanical, manual, or other method that—

(A) transforms a recyclable material into a specification-grade commodity; and

(B) may occur in multiple steps, with different steps, including sorting, occurring at different locations.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) recycling and composting conserve resources, protect the environment, and are important to the United States economy;

(2) the United States recycling and composting infrastructure encompass each of the entities that collect, process, broker, and consume recyclable materials and compostable materials sourced from commercial, industrial, institutional, and residential sources;

(3) the residential segment of the United States recycling and composting infrastructure is facing challenges from—

(A) confusion over what materials are recyclable materials or compostable materials;

(B) reduced export markets;

(C) growing, but still limited, domestic end markets; and

(D) an ever-changing and heterogeneous supply stream;

(4) in some areas, recycling and composting infrastructure is in need of revitalization; and

(5) in an effort to address those challenges, the United States must use a combination of tactics to improve recycling and composting in the United States.

(c) REPORT ON COMPOSTING INFRASTRUCTURE CAPABILITIES.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(1) prepare a report, or expand work under the National Recycling Strategy to include data, describing the capability of the United States to implement a national composting strategy for compostable materials for the purposes of reducing contamination rates for recycling, including—

(A) an evaluation of existing Federal, State, and local laws that may present barriers to implementation of a national composting strategy;

(B)(i) an evaluation of existing composting programs of States, units of local government, and Indian Tribes; and

(ii) a description of best practices based on those programs;

(C) an evaluation of existing composting infrastructure in States, units of local government, and Indian Tribes for the purposes of estimating cost and approximate land needed to expand composting programs; and

(D) a study of the practices of manufacturers and companies that are moving to using compostable packaging and food service ware for the purpose of making the composting process the end-of-life use of those products; and

(2) not later than 2 years after the date of enactment of this Act, submit the report prepared under paragraph (1) to Congress.

(d) REPORT ON FEDERAL AGENCY RECYCLING PRACTICES.—Not later than 2 years after the date of enactment of this Act, and every 2 years thereafter until 2033, the Comptroller General of the United States, in consultation with the Administrator, shall make publicly available a report describing—

(1) the total annual recycling and composting rates reported by all Federal agencies;

(2) the total annual percentage of products containing recyclable material, compostable material, or recovered materials purchased by all Federal agencies, including—

(A) the total quantity of procured products containing recyclable material or recovered materials listed in the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the total quantity of compostable material purchased;

(3) recommendations for updating—

(A) the comprehensive procurement guidelines published under section 6002(e) of the Solid Waste Disposal Act (42 U.S.C. 6962(e)); and

(B) the environmentally preferable purchasing program established under section 6604(b)(11) of the Pollution Prevention Act of 1990 (42 U.S.C. 13103(b)(11)); and

(4) the activities of each Federal agency that promote recycling or composting.

(e) IMPROVING DATA AND REPORTING.—

(1) INVENTORY OF MATERIALS RECOVERY FACILITIES.—Not later than 1 year after the date of enactment of this Act, and biannually thereafter, the Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(A) prepare an inventory of public and private materials recovery facilities in the United States, including—

(i) the number of materials recovery facilities in each unit of local government in each State; and

(ii) a description of the materials that each materials recovery facility can process, including—

(I) in the case of plastic, a description of—

(aa) the types of accepted resin, if applicable; and

(bb) the packaging or product format, such as a jug, a carton, or film;

(II) food packaging and service ware, such as a bottle, cutlery, or a cup;

(III) paper;

(IV) aluminum, such as an aluminum beverage can, food can, aerosol can, or foil;

(V) steel, such as a steel food or aerosol can;

(VI) other scrap metal;

(VII) glass; or

(VIII) any other material not described in any of subclauses (I) through (VII) that a materials recovery facility can process; and

(B) submit the inventory prepared under subparagraph (A) to Congress.

(2) ESTABLISHMENT OF A COMPREHENSIVE BASELINE OF DATA FOR THE UNITED STATES RECYCLING SYSTEM.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall determine, with respect to the United States—

(A) the number of community curbside recycling and composting programs;

(B) the number of community drop-off recycling and composting programs;

(C) the types and forms of materials accepted by each community curbside recycling, drop-off recycling, or composting program;

(D) the number of individuals with access to recycling and composting services to at least the extent of access to disposal services;

(E) the number of individuals with barriers to accessing recycling and composting services to at least the extent of access to disposal services;

(F) the inbound contamination and capture rates of community curbside recycling, drop-off recycling, or composting programs;

(G) where applicable, other available recycling or composting programs within a community, including store drop-offs; and

(H) the average costs and benefits to States, units of local government, and Indian Tribes of recycling and composting programs.

(3) STANDARDIZATION OF RECYCLING REPORTING RATES.—

(A) COLLECTION OF RATES.—

(i) IN GENERAL.—The Administrator may use amounts made available under subsection (h) to biannually collect from each State the nationally standardized rate of recyclable materials in that State that have been successfully diverted from the waste stream and brought to a materials recovery facility or composting facility.

(ii) CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.—Information collected under clause (i) shall not include any confidential or proprietary business information, as determined by the Administrator.

(B) USE.—Using amounts made available under subsection (h), the Administrator may use the rates collected under subparagraph (A) to further assist States, units of local government, and Indian Tribes—

(i) to reduce the overall waste produced by the States and units of local government; and

(ii) to increase recycling and composting rates.

(4) REPORT ON END MARKETS.—

(A) IN GENERAL.—The Administrator, in consultation with States, units of local government, and Indian Tribes, shall—

(i) provide an update to the report submitted under section 306 of the Save Our Seas 2.0 Act (Public Law 116–224; 134 Stat. 1096) to include an addendum on the end-market sale of all recyclable materials, in addition to recycled plastics as described in that section, from materials recovery facilities that process recyclable materials collected from households and publicly available recyclable materials drop-off centers, including—

(I) the total, in dollars per ton, domestic sales of bales of recyclable materials; and

(II) the total, in dollars per ton, international sales of bales of recyclable materials;

(ii) prepare a report on the end-market sale of compost from all compostable materials collected from households and publicly available compost drop-off centers, including the total, in dollars per ton, of domestic sales of compostable materials; and

(iii) not later than 2 years after the date of enactment of this Act, submit to Congress the update to the report prepared under clause (i) and the report prepared under clause (ii).

(B) CONFIDENTIAL OR PROPRIETARY BUSINESS INFORMATION.—Information collected under clauses (i) and (ii) of subparagraph (A) shall not include any confidential or proprietary

business information, as determined by the Administrator.

(F) STUDY ON THE DIVERSION OF RECYCLABLE MATERIALS FROM A CIRCULAR MARKET.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop a metric for determining the proportion of recyclable materials in commercial and municipal waste streams that are being diverted from a circular market.

(2) STUDY; REPORT.—Not later than 1 year after the development of a metric under paragraph (1), the Administrator shall conduct a study of, and submit to Congress a report on, the proportion of recyclable materials in commercial and municipal waste streams that, during each of the 10 calendar years preceding the year of submission of the report, were diverted from a circular market.

(3) DATA.—The report under paragraph (2) shall provide data on specific recyclable materials, including aluminum, plastics, paper and paperboard, textiles, and glass, that were prevented from remaining in a circular market through disposal or elimination, and to what use those specific recyclable materials were lost.

(4) EVALUATION.—The report under paragraph (2) shall include an evaluation of whether the establishment or improvement of recycling programs would—

(A) improve recycling rates; or

(B) reduce the quantity of recyclable materials being unutilized in a circular market.

(g) VOLUNTARY GUIDELINES.—The Administrator shall—

(1) in consultation with States, units of local government, and Indian Tribes, develop, based on the results of the studies, reports, inventory, and data determined under subsections (c) through (f), and provide to States, units of local government, and Indian Tribes, through the Model Recycling Program Toolkit or a similar resource, best practices that the States, units of local government, and Indian Tribes may use to enhance recycling and composting, including—

(A) labeling techniques for containers of waste, compostable materials, and recycling, with the goal of creating consistent, readily available, and understandable labeling across jurisdictions;

(B) pamphlets or other literature readily available to constituents;

(C) primary and secondary school educational resources on recycling;

(D) web and media-based campaigns; and

(E) guidance for the labeling of recyclable materials and compostable materials that minimizes contamination and diversion of those materials from waste streams toward recycling and composting systems; and

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report describing the best practices developed under paragraph (1).

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator \$4,000,000 for each of fiscal years 2023 through 2027 to carry out this section.

SA 149. Mr. HOEVEN (for himself and Ms. SMITH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

SEC. 10. . EXTENSION OF DEADLINE TO PRO-MULGATE CERTAIN REGULATIONS.

Section 413(a) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5373(a)) is amended—

(1) in paragraph (2), by striking “21 months” and inserting “38 months”; and

(2) in paragraph (3), by striking “30 months” and inserting “50 months”.

SA 150. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XV, insert the following:

SEC. . ANNUAL REPORT ON DEVELOPMENT OF LONG-RANGE STAND-OFF WEAPON.

(a) REPORT REQUIRED.—Not later than March 1, 2024, and annually thereafter until the date on which long-range stand-off weapon reaches initial operational capability, the Administrator for Nuclear Security, in coordination with the Secretary of the Air Force and the Chairman of the Nuclear Weapons Council, shall submit to the congressional defense committees a report on the joint development of the long-range stand-off weapon, including the missile developed by the Air Force and the W80–4 warhead life extension program conducted by the National Nuclear Security Administration.

(b) ELEMENTS.—The report under subsection (a) shall include the following:

(1) An estimate of the date on which the long-range stand-off weapon will reach initial operational capability.

(2) A description of any development milestones for the missile developed by the Air Force or the warhead developed by the National Nuclear Security Administration that depend on corresponding progress at the other agency.

(3) A description of coordination efforts between the Air Force and the National Nuclear Security Administration during the period covered by the report.

(4) A description of any schedule delays projected by the Air Force or the National Nuclear Security Administration and the anticipated effect such delays would have on the schedule of work of the other agency.

(5) Plans to mitigate the effects of any delays described in paragraph (4).

(6) A description of any ways, including through the availability of additional funding or authorities, in which the development milestones described in paragraph (2) or the estimated date of initial operational capability referred to in paragraph (1), could be achieved more quickly.

(7) An estimate of the acquisition costs for the long-range stand-off weapon and the W80–4 warhead life extension program.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 151. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of

Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXI, insert the following:

SEC. _____. CIVIL NUCLEAR EXPORT ACT OF 2023.

(a) **SHORT TITLE.**—This section may be cited as the “Civil Nuclear Export Act of 2023”.

(b) **MODIFICATION OF PROHIBITION ON FINANCING IN THE EXPORT-IMPORT BANK OF THE UNITED STATES.**—Section 2(b)(5) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(5)) is amended, in the first sentence, by inserting “, except any purchase that is otherwise permitted under an agreement made in accordance with section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) or any other applicable law of the United States,” after “(C) the purchase”.

(c) **EXPANSION OF PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.**—Section 2(1)(B) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(1)(B)) is amended—

(1) by redesignating clause (xi) as clause (xii); and

(2) by inserting after clause (x) the following:

“(xi) Civil nuclear facilities, material, and technologies, and related goods and services that support the development of an effective nuclear energy sector.”

(d) **NUCLEAR LIABILITY COVERAGE.**—Section 2 of the Export-Import Bank Act of 1945 (12 U.S.C. 635) is amended by adding at the end the following:

“(m) **NUCLEAR LIABILITY COVERAGE.**—

“(1) **IN GENERAL.**—If there is a claim or judgment against the Bank relating to bodily injury, death, or damage to or loss of real or personal property, the Secretary of the Treasury shall, subject to paragraph (2), pay, from the general fund of the Treasury such claim or judgment, and related costs, if—

“(A) such bodily injury, death, or damage to or loss of real or personal property is determined in a court of competent jurisdiction to have resulted from a nuclear incident at a nuclear facility that received financial support from the Bank; and

“(B) there is no applicable treaty or other arrangement fully absolving the Bank of liability.

“(2) **MAXIMUM AMOUNT.**—Any claim or judgment, and any related costs paid in accordance with paragraph (1), to the extent not otherwise absolved by any applicable treaty or other arrangement, may not exceed the maximum amount of financial protection per incident required to cover public liability claims under section 170(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2210(b)).

“(3) **PRESIDENTIAL AUTHORITY TO AUTHORIZE PAYMENTS.**—If the aggregate amount of claims, judgments, and related costs resulting from a single nuclear incident exceeds the maximum amount under paragraph (2), the President—

“(A) may authorize, under such terms and conditions as the President may direct, the payment of such claims or judgments, and costs related to such claims or judgments, from any contingency funds available to the United States Government; and

“(B) if such funds are insufficient or unavailable, shall certify such claims or judgments to Congress for appropriation of the necessary funds.”

(e) **MODIFICATION OF LENDING CAP.**—Section 6(a) of the Export-Import Bank Act of 1945 (12 U.S.C. 635e(a)) is amended—

(1) in paragraph (1), by striking “applicable amount.” and inserting “applicable amount,

unless the aggregate amount that is in excess of the applicable amount—

“(A) is attributed by the Bank to loans, guarantees, and insurance under the Program on China and Transformational Exports pursuant to section 2(1); and

“(B) does not exceed \$50,000,000,000.”;

(2) in paragraph (3)—

(A) in the header, by striking “2” and inserting “4”; and

(B) by striking “2 percent” each place it appears and inserting “4 percent”; and

(3) by adding at the end the following:

“(5) **AUTHORITY TO ATTRIBUTE LOANS, GUARANTEES, AND INSURANCE.**—The Bank may attribute any loan, guarantee, or insurance issued under the Program on China and Transformational Exports pursuant to section 2(1) toward the aggregate amount that is in excess of the applicable amount described in paragraph (1) without regard to the date on which the Bank issued such loan, guarantee, or insurance.”

(f) **MODIFICATION OF MONITORING OF DEFAULT RATES.**—Section 8(g) of the Export-Import Bank Act of 1945 (12 U.S.C. 635g(g)) is amended—

(1) in paragraph (3), by striking “2 percent” each place it appears and inserting “4 percent”;;

(2) in paragraph (4)(B), by striking “2 percent” and inserting “4 percent”;;

(3) in paragraph (5)—

(A) in the header, by striking “2” and inserting “4”; and

(B) by striking “2 percent” and inserting “4 percent”;;

(4) in paragraph (6), by striking “2 percent” and inserting “4 percent”; and

(5) by adding at the end the following:

“(7) **EXCLUSION OF TRANSACTIONS RELATING TO THE PROGRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.**—For the purposes of this subsection, if financing provided under the Program on China and Transformational Exports pursuant to section 2(1) results in the default rate calculated under paragraph (1) equaling or exceeding 4 percent, the Bank may exclude such financing, subject to the approval of the Board of Directors.”

SA 152. Mr. MANCHIN (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXI, insert the following:

SEC. 31 _____. INTERNATIONAL NUCLEAR ENERGY ACT.

(a) **SHORT TITLE.**—This section may be cited as the “International Nuclear Energy Act”.

(b) **DEFINITIONS.**—In this section:

(1) **ADVANCED NUCLEAR REACTOR.**—The term “advanced nuclear reactor” has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) **ALLY OR PARTNER NATION.**—The term “ally or partner nation” means—

(A) the Government of any country that is a member of the Organisation for Economic Co-operation and Development;

(B) the Government of the Republic of India; and

(C) the Government of any country designated as an ally or partner nation by the Secretary of State for purposes of this section.

(3) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committees on Foreign Relations and Energy and Natural Resources of the Senate; and

(B) the Committees on Foreign Affairs and Energy and Commerce of the House of Representatives.

(4) **ASSISTANT.**—The term “Assistant” means the Assistant to the President and Director for International Nuclear Energy Policy described in subsection (c)(1)(D).

(5) **ASSOCIATED ENTITY.**—The term “associated entity” means an entity that—

(A) is owned, controlled, or operated by—

(i) an ally or partner nation; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country described in paragraph (2), including a corporation that is incorporated in a country described in that paragraph.

(6) **ASSOCIATED INDIVIDUAL.**—The term “associated individual” means a foreign national who is a national of a country described in paragraph (2).

(7) **CIVIL NUCLEAR.**—The term “civil nuclear” means activities relating to—

(A) nuclear plant construction;

(B) nuclear fuel services;

(C) nuclear energy financing;

(D) nuclear plant operations;

(E) nuclear plant regulation;

(F) nuclear medicine;

(G) nuclear safety;

(H) community engagement in areas in reasonable proximity to nuclear sites;

(I) infrastructure support for nuclear energy;

(J) nuclear plant decommissioning;

(K) nuclear liability;

(L) safe storage and safe disposal of spent nuclear fuel;

(M) environmental safeguards;

(N) nuclear nonproliferation and security; and

(O) technology related to the matters described in subparagraphs (A) through (N).

(8) **EMBARKING CIVIL NUCLEAR ENERGY NATION.**—

(A) **IN GENERAL.**—The term “embarking civil nuclear energy nation” means a country that—

(i) does not have a civil nuclear program;

(ii) is in the process of developing or expanding a civil nuclear program, including safeguards and a legal and regulatory framework, for—

(I) nuclear safety;

(II) nuclear security;

(III) radioactive waste management;

(IV) civil nuclear energy;

(V) environmental safeguards;

(VI) community engagement in areas in reasonable proximity to nuclear sites;

(VII) nuclear liability; or

(VIII) advanced nuclear reactor licensing;

(iii) is in the process of selecting, developing, constructing, or utilizing advanced light water reactors, advanced nuclear reactors, or advanced civil nuclear technologies; and

(iv) is eligible to receive development lending from the World Bank.

(B) **EXCLUSIONS.**—The term “embarking civil nuclear energy nation” does not include—

(i) the People’s Republic of China;

(ii) the Russian Federation;

(iii) the Republic of Belarus;

(iv) the Islamic Republic of Iran;

(v) the Democratic People’s Republic of Korea;

(vi) the Republic of Cuba;

(vii) the Bolivarian Republic of Venezuela;

(viii) the Syrian Arab Republic;

(ix) Burma; or

(x) any other country—

(I) the property or interests in property of the government of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.); or

(II) the government of which the Secretary of State has determined has repeatedly provided support for acts of international terrorism for purposes of—

(aa) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(bb) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d));

(cc) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i)); or

(dd) any other relevant provision of law.

(9) NUCLEAR SAFETY.—The term “nuclear safety” means issues relating to the design, construction, operation, or decommissioning of nuclear facilities in a manner that ensures adequate protection of workers, the public, and the environment, including—

(A) the safe operation of nuclear reactors and other nuclear facilities;

(B) radiological protection of—

(i) members of the public;

(ii) workers; and

(iii) the environment;

(C) nuclear waste management;

(D) emergency preparedness;

(E) nuclear liability; and

(F) the safe transportation of nuclear materials.

(10) SECRETARY.—The term “Secretary” means the Secretary of Energy.

(11) SPENT NUCLEAR FUEL.—The term “spent nuclear fuel” has the meaning given the term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

(12) U.S. NUCLEAR ENERGY COMPANY.—The term “U.S. nuclear energy company” means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(C) WHITE HOUSE FOCAL POINT ON CIVIL NUCLEAR COORDINATION.—

(1) SENSE OF CONGRESS.—Given the critical importance of developing and implementing, with input from various agencies throughout the executive branch, a cohesive policy with respect to international efforts related to civil nuclear energy, it is the sense of Congress that—

(A) there should be a focal point within the White House, which may, if determined to be appropriate, report to the National Security Council, for coordination on issues relating to those efforts;

(B) to provide that focal point, the President should establish, within the Executive Office of the President, an office, to be known as the “Office of the Assistant to the President and Director for International Nuclear Energy Policy” (referred to in this subsection as the “Office”);

(C) the Office should act as a coordinating office for—

(i) international civil nuclear cooperation; and

(ii) civil nuclear export strategy;

(D) the Office should be headed by an individual appointed as an Assistant to the President with the title of “Director for International Nuclear Energy Policy”; and

(E) the Office should—

(i) coordinate civil nuclear export policies for the United States;

(ii) develop, in coordination with the officials described in paragraph (2), a cohesive Federal strategy for engagement with foreign governments (including ally or partner nations and the governments of embarking civil nuclear energy nations), associated en-

ties, and associated individuals with respect to civil nuclear exports;

(iii) coordinate with the officials described in paragraph (2) to ensure that necessary framework agreements and trade controls relating to civil nuclear materials and technologies are in place for key markets; and

(iv) develop—

(I) a whole-of-government coordinating strategy for civil nuclear cooperation;

(II) a whole-of-government strategy for civil nuclear exports; and

(III) a whole-of-government approach to support appropriate foreign investment in civil nuclear energy projects supported by the United States in embarking civil nuclear energy nations.

(2) OFFICIALS DESCRIBED.—The officials referred to in paragraph (1)(E) are—

(A) the appropriate officials of—

(i) the Department of State;

(ii) the Department of Energy;

(iii) the Department of Commerce;

(iv) the Department of Transportation;

(v) the Nuclear Regulatory Commission;

(vi) the Department of Defense;

(vii) the National Security Council;

(viii) the National Economic Council;

(ix) the Office of the United States Trade Representative;

(x) the Office of Management and Budget;

(xi) the Office of the Director of National Intelligence;

(xii) the Export-Import Bank of the United States;

(xiii) the United States International Development Finance Corporation;

(xiv) the United States Agency for International Development;

(xv) the United States Trade and Development Agency;

(xvi) the Office of Science and Technology Policy; and

(xvii) any other Federal agency that the President determines to be appropriate; and

(B) appropriate officials representing foreign countries and governments, including—

(i) ally or partner nations;

(ii) embarking civil nuclear energy nations; and

(iii) any other country or government that the Assistant (if appointed) and the officials described in subparagraph (A) jointly determine to be appropriate.

(d) NUCLEAR EXPORTS WORKING GROUP.—

(1) ESTABLISHMENT.—There is established a working group, to be known as the “Nuclear Exports Working Group” (referred to in this subsection as the “working group”).

(2) COMPOSITION.—The working group shall be composed of—

(A) senior-level Federal officials, selected internally by the applicable Federal agency or organization, from—

(i) the Department of State;

(ii) the Department of Commerce;

(iii) the Department of Energy;

(iv) the Department of the Treasury;

(v) the Export-Import Bank of the United States;

(vi) the United States International Development Finance Corporation;

(vii) the Nuclear Regulatory Commission;

(viii) the Office of the United States Trade Representative; and

(ix) the United States Trade and Development Agency; and

(B) other senior-level Federal officials, selected internally by the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate.

(3) REPORTING.—The working group shall report to the appropriate White House official, which may be the Assistant (if appointed).

(4) DUTIES.—The working group shall coordinate, not less frequently than quarterly,

with the Civil Nuclear Trade Advisory Committee of the Department of Commerce, the Nuclear Energy Advisory Committee of the Department of Energy, and other advisory or stakeholder groups, as necessary, to maintain an accurate and up-to-date knowledge of the standing of civil nuclear exports from the United States, including with respect to meeting the targets established as part of the 10-year civil nuclear trade strategy described in paragraph (5)(A).

(5) STRATEGY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the working group shall establish a 10-year civil nuclear trade strategy, including biennial targets for the export of civil nuclear technologies, including light water and non-light water reactors and associated equipment and technologies, civil nuclear materials, and nuclear fuel that align with meeting international energy demand while seeking to avoid or reduce emissions.

(B) COLLABORATION REQUIRED.—In establishing the strategy under subparagraph (A), the working group shall collaborate with—

(i) the Secretary;

(ii) the Secretary of Commerce;

(iii) the Secretary of State;

(iv) the Secretary of the Treasury;

(v) the Nuclear Regulatory Commission;

(vi) the President of the Export-Import Bank of the United States;

(vii) the Chief Executive Officer of the United States International Development Finance Corporation;

(viii) the United States Trade Representative; and

(ix) representatives of private industry.

(e) ENGAGEMENT WITH ALLY OR PARTNER NATIONS.—

(1) IN GENERAL.—The President shall launch, in accordance with applicable nuclear technology export laws (including regulations), an international initiative to modernize the civil nuclear outreach to embarking civil nuclear energy nations.

(2) FINANCING.—In carrying out the initiative described in paragraph (1), the President, acting through an appropriate Federal official, who may be the Assistant (if appointed) or the Chief Executive Officer of the International Development Finance Corporation, if determined to be appropriate, and in coordination with the officials described in subsection (c)(2), may, if the President determines to be appropriate, seek to establish cooperative financing relationships for the export of civil nuclear technology, components, materials, and infrastructure to embarking civil nuclear energy nations.

(3) ACTIVITIES.—In carrying out the initiative described in paragraph (1), the President shall—

(A) assist nongovernmental organizations and appropriate offices, administrations, agencies, laboratories, and programs of the Department of Energy and other relevant Federal agencies and offices in providing education and training to foreign governments in nuclear safety, security, and safeguards—

(i) through engagement with the International Atomic Energy Agency; or

(ii) independently, if the applicable entity determines that it would be more advantageous under the circumstances to provide the applicable education and training independently;

(B) assist the efforts of the International Atomic Energy Agency to expand the support provided by the International Atomic Energy Agency to embarking civil nuclear energy nations for nuclear safety, security, and safeguards;

(C) coordinate the work of the Chief Executive Officer of the United States International Development Finance Corporation

and the Export-Import Bank of the United States to expand outreach to the private investment community to create public-private financing relationships to assist in the adoption of civil nuclear technologies by embarking civil nuclear energy nations, including through exports from the United States;

(D) seek to better coordinate, to the maximum extent practicable, the work carried out by each of—

- (i) the Nuclear Regulatory Commission;
- (ii) the Department of Energy;
- (iii) the Department of Commerce;
- (iv) the Nuclear Energy Agency;
- (v) the International Atomic Energy Agency; and

(vi) the nuclear regulatory agencies and organizations of embarking civil nuclear energy nations and ally or partner nations; and

(E) coordinate the work of the Export-Import Bank of the United States to improve the efficient and effective exporting and importing of civil nuclear technologies and materials.

(f) COOPERATIVE FINANCING RELATIONSHIPS WITH ALLY OR PARTNER NATIONS AND EMBARKING CIVIL NUCLEAR ENERGY NATIONS.—

(1) IN GENERAL.—The President shall designate an appropriate White House official, who may be the Assistant (if appointed), and the Chief Executive Officer of the United States International Development Finance Corporation to coordinate with the officials described in subsection (c)(2) to develop, as the President determines to be appropriate, financing relationships with ally or partner nations to assist in the adoption of civil nuclear technologies exported from the United States or ally or partner nations to embarking civil nuclear energy nations.

(2) UNITED STATES COMPETITIVENESS CLAUSES.—

(A) DEFINITION OF UNITED STATES COMPETITIVENESS CLAUSE.—In this paragraph, the term “United States competitiveness clause” means any United States competitiveness provision in any agreement entered into by the Department of Energy, including—

- (i) a cooperative agreement;
- (ii) a cooperative research and development agreement; and
- (iii) a patent waiver.

(B) CONSIDERATION.—In carrying out paragraph (1), the relevant officials described in that paragraph shall consider the impact of United States competitiveness clauses on any financing relationships entered into or proposed to be entered into under that paragraph.

(C) WAIVER.—The Secretary shall facilitate waivers of United States competitiveness clauses as necessary to facilitate financing relationships with ally or partner nations under paragraph (1).

(g) COOPERATION WITH ALLY OR PARTNER NATIONS ON ADVANCED NUCLEAR REACTOR DEMONSTRATION AND COOPERATIVE RESEARCH FACILITIES FOR CIVIL NUCLEAR ENERGY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall conduct bilateral and multilateral meetings with not fewer than 5 ally or partner nations, with the aim of enhancing nuclear energy cooperation among those ally or partner nations and the United States, for the purpose of developing collaborative relationships with respect to research, development, licensing, and deployment of advanced nuclear reactor technologies for civil nuclear energy.

(2) REQUIREMENT.—The meetings described in paragraph (1) shall include—

(A) a focus on cooperation to demonstrate and deploy advanced nuclear reactors, with an emphasis on U.S. nuclear energy compa-

nies, during the 10-year period beginning on the date of enactment of this Act to provide options for addressing energy security and climate change; and

(B) a focus on developing a memorandum of understanding or any other appropriate agreement between the United States and ally or partner nations with respect to—

- (i) the demonstration and deployment of advanced nuclear reactors; and
- (ii) the development of cooperative research facilities.

(3) FINANCING ARRANGEMENTS.—In conducting the meetings described in paragraph (1), the Secretary of State, in coordination with the Secretary and the Secretary of Commerce, shall seek to develop financing arrangements to share the costs of the demonstration and deployment of advanced nuclear reactors and the development of cooperative research facilities with the ally or partner nations participating in those meetings.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, the Secretary of State, and the Secretary of Commerce shall jointly submit to Congress a report highlighting potential partners—

(A) for the establishment of cost-share arrangements described in paragraph (3); or

(B) with which the United States may enter into agreements with respect to—

- (i) the demonstration of advanced nuclear reactors; or
- (ii) cooperative research facilities.

(h) INTERNATIONAL CIVIL NUCLEAR ENERGY COOPERATION.—Section 959B of the Energy Policy Act of 2005 (42 U.S.C. 16279b) is amended—

(1) in the matter preceding paragraph (1), by striking “The Secretary” and inserting the following:

“(a) IN GENERAL.—The Secretary”;

(2) in subsection (a) (as so designated)—

(A) in paragraph (1)—

- (i) by striking “financing.”; and
- (ii) by striking “and” after the semicolon at the end;

(B) in paragraph (2)—

- (i) in subparagraph (A), by striking “preparations for”; and
- (ii) in subparagraph (C)(v), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(3) to support, in coordination with the Secretary of State, the safe, secure, and peaceful use of civil nuclear technology in countries developing nuclear energy programs, with a focus on countries that have increased civil nuclear cooperation with the Russian Federation or the People’s Republic of China; and

“(4) to promote the fullest utilization of the reactors, fuel, equipment, services, and technology of U.S. nuclear energy companies (as defined in subsection (b) of the International Nuclear Energy Act) in civil nuclear energy programs outside the United States through—

“(A) bilateral and multilateral arrangements developed and executed in coordination with the Secretary of State that contain commitments for the utilization of the reactors, fuel, equipment, services, and technology of U.S. nuclear energy companies (as defined in that subsection);

“(B) the designation of 1 or more U.S. nuclear energy companies (as defined in that subsection) to implement an arrangement under subparagraph (A) if the Secretary determines that the designation is necessary and appropriate to achieve the objectives of this section;

“(C) the waiver of any provision of law relating to competition with respect to any activity related to an arrangement under sub-

paragraph (A) if the Secretary, in consultation with the Attorney General and the Secretary of Commerce, determines that a waiver is necessary and appropriate to achieve the objectives of this section; and

“(D) the issuance of loans, loan guarantees, other financial assistance, or assistance in the form of an equity interest to carry out activities related to an arrangement under subparagraph (A), to the extent appropriated funds are available.”; and

(3) by adding at the end the following:

“(b) REQUIREMENTS.—The program under subsection (a) shall be supported in consultation with the Secretary of State and implemented by the Secretary—

“(1) to facilitate, to the maximum extent practicable, workshops and expert-based exchanges to engage industry, stakeholders, and foreign governments with respect to international civil nuclear issues, such as—

“(A) training;

“(B) financing;

“(C) safety;

“(D) security;

“(E) safeguards;

“(F) liability;

“(G) advanced fuels;

“(H) operations; and

“(I) options for multinational cooperation with respect to the disposal of spent nuclear fuel (as defined in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101)); and

“(2) in coordination with—

“(A) the National Security Council;

“(B) the Secretary of State;

“(C) the Secretary of Commerce; and

“(D) the Nuclear Regulatory Commission.

“(c) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to the Secretary to carry out subsection (a)(3) \$15,500,000 for each of fiscal years 2023 through 2027.”.

(i) INTERNATIONAL CIVIL NUCLEAR PROGRAM SUPPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), shall launch an international initiative (referred to in this subsection as the “initiative”) to provide financial assistance to, and facilitate the building of technical capacities by, in accordance with this subsection, embarking civil nuclear energy nations for activities relating to the development of civil nuclear energy programs.

(2) FINANCIAL ASSISTANCE.—

(A) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award grants of financial assistance to embarking civil nuclear energy nations in accordance with this paragraph—

(i) for activities relating to the development of civil nuclear energy programs; and

(ii) to facilitate the building of technical capacities for those activities.

(B) AMOUNT.—The amount of a grant of financial assistance under subparagraph (A) shall be not more than \$5,500,000.

(C) LIMITATIONS.—The Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may award—

(i) not more than 1 grant of financial assistance under subparagraph (A) to any 1 embarking civil nuclear energy nation each fiscal year; and

(ii) not more than a total of 5 grants of financial assistance under subparagraph (A) to any 1 embarking civil nuclear energy nation.

(3) SENIOR ADVISORS.—

(A) IN GENERAL.—In carrying out the initiative, the Secretary of State, in coordination with the Secretary and the Assistant (if appointed), may provide financial assistance to an embarking civil nuclear energy nation

for the purpose of contracting with a U.S. nuclear energy company to hire 1 or more senior advisors to assist the embarking civil nuclear energy nation in establishing a civil nuclear program.

(B) REQUIREMENT.—A senior advisor described in subparagraph (A) shall have relevant experience and qualifications to advise the embarking civil nuclear energy nation on, and facilitate on behalf of the embarking civil nuclear energy nation, 1 or more of the following activities:

(i) The development of financing relationships.

(ii) The development of a standardized financing and project management framework for the construction of nuclear power plants.

(iii) The development of a standardized licensing framework for—

(I) light water civil nuclear technologies; and

(II) non-light water civil nuclear technologies and advanced nuclear reactors.

(iv) The identification of qualified organizations and service providers.

(v) The identification of funds to support payment for services required to develop a civil nuclear program.

(vi) Market analysis.

(vii) The identification of the safety, security, safeguards, and nuclear governance required for a civil nuclear program.

(viii) Risk allocation, risk management, and nuclear liability.

(ix) Technical assessments of nuclear reactors and technologies.

(x) The identification of actions necessary to participate in a global nuclear liability regime based on the Convention on Supplementary Compensation for Nuclear Damage, with Annex, done at Vienna September 12, 1997 (TIAS 15-415).

(xi) Stakeholder engagement.

(xii) Management of spent nuclear fuel and nuclear waste.

(xiii) Any other major activities to support the establishment of a civil nuclear program, such as the establishment of export, financing, construction, training, operations, and education requirements.

(C) CLARIFICATION.—Financial assistance under this paragraph may be provided to an embarking civil nuclear energy nation in addition to any financial assistance provided to that embarking civil nuclear energy nation under paragraph (2).

(4) LIMITATION ON ASSISTANCE TO EMBARKING CIVIL NUCLEAR ENERGY NATIONS.—Not later than 1 year after the date of enactment of this Act, the Offices of the Inspectors General for the Department of State and the Department of Energy shall coordinate—

(A) to establish and submit to the appropriate committees of Congress a joint strategic plan to conduct comprehensive oversight of activities authorized under this subsection to prevent fraud, waste, and abuse; and

(B) to engage in independent and effective oversight of activities authorized under this subsection through joint or individual audits, inspections, investigations, or evaluations.

(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of State to carry out the initiative \$50,000,000 for each of fiscal years 2023 through 2027.

(j) BIENNIAL CABINET-LEVEL INTERNATIONAL CONFERENCE ON NUCLEAR SAFETY, SECURITY, SAFEGUARDS, AND SUSTAINABILITY.—

(1) IN GENERAL.—The President, in coordination with international partners, as determined by the President, and industry, shall hold a biennial conference on civil nuclear safety, security, safeguards, and sustainability (referred to in this subsection as a “conference”).

(2) CONFERENCE FUNCTIONS.—It is the sense of Congress that each conference should—

(A) be a forum in which ally or partner nations may engage with each other for the purpose of reinforcing the commitment to—

(i) nuclear safety, security, safeguards, and sustainability;

(ii) environmental safeguards; and

(iii) local community engagement in areas in reasonable proximity to nuclear sites; and

(B) facilitate—

(i) the development of—

(I) joint commitments and goals to improve—

(aa) nuclear safety, security, safeguards, and sustainability;

(bb) environmental safeguards; and

(cc) local community engagement in areas in reasonable proximity to nuclear sites;

(II) stronger international institutions that support nuclear safety, security, safeguards, and sustainability;

(III) cooperative financing relationships to promote competitive alternatives to Chinese and Russian financing;

(IV) a standardized financing and project management framework for the construction of civil nuclear power plants;

(V) a standardized licensing framework for civil nuclear technologies;

(VI) a strategy to change internal policies of multinational development banks, such as the World Bank, to support the financing of civil nuclear projects;

(VII) a document containing any lessons learned from countries that have partnered with the Russian Federation or the People's Republic of China with respect to civil nuclear power, including any detrimental outcomes resulting from that partnership; and

(VIII) a global civil nuclear liability regime;

(ii) cooperation for enhancing the overall aspects of civil nuclear power, such as—

(I) nuclear safety, security, safeguards, and sustainability;

(II) nuclear laws (including regulations);

(III) waste management;

(IV) quality management systems;

(V) technology transfer;

(VI) human resources development;

(VII) localization;

(VIII) reactor operations;

(IX) nuclear liability; and

(X) decommissioning; and

(iii) the development and determination of the mechanisms described in subparagraphs (G) and (H) of subsection (k)(1), if the President intends to establish an Advanced Reactor Coordination and Resource Center as described in that subsection.

(3) INPUT FROM INDUSTRY AND GOVERNMENT.—It is the sense of Congress that each conference should include a meeting that convenes nuclear industry leaders and leaders of government agencies with expertise relating to nuclear safety, security, safeguards, or sustainability to discuss best practices relating to—

(A) the safe and secure use, storage, and transport of nuclear and radiological materials;

(B) managing the evolving cyber threat to nuclear and radiological security; and

(C) the role that the nuclear industry should play in nuclear and radiological safety, security, and safeguards, including with respect to the safe and secure use, storage, and transport of nuclear and radiological materials, including spent nuclear fuel and nuclear waste.

(k) ADVANCED REACTOR COORDINATION AND RESOURCE CENTER.—

(1) IN GENERAL.—The President shall consider the feasibility of leveraging existing activities or frameworks or, as necessary, establishing a center, to be known as the “Advanced Reactor Coordination and Resource

Center” (referred to in this subsection as the “Center”), for the purposes of—

(A) identifying qualified organizations and service providers—

(i) for embarking civil nuclear energy nations;

(ii) to develop and assemble documents, contracts, and related items required to establish a civil nuclear program; and

(iii) to develop a standardized model for the establishment of a civil nuclear program that can be used by the International Atomic Energy Agency;

(B) coordinating with countries participating in the Center and with the Nuclear Exports Working Group established under subsection (d)—

(i) to identify funds to support payment for services required to develop a civil nuclear program;

(ii) to provide market analysis; and

(iii) to create—

(I) project structure models;

(II) models for electricity market analysis;

(III) models for nonelectric applications market analysis; and

(IV) financial models;

(C) identifying and developing the safety, security, safeguards, and nuclear governance required for a civil nuclear program;

(D) supporting multinational regulatory standards to be developed by countries with civil nuclear programs and experience;

(E) developing and strengthening communications, engagement, and consensus-building;

(F) carrying out any other major activities to support export, financing, education, construction, training, and education requirements relating to the establishment of a civil nuclear program;

(G) developing mechanisms for how to fund and staff the Center; and

(H) determining mechanisms for the selection of the location or locations of the Center.

(2) OBJECTIVE.—The President shall carry out paragraph (1) with the objective of establishing the Center if the President determines that it is feasible to do so.

(1) INVESTMENT BY ALLIES AND PARTNERS OF THE UNITED STATES.—

(1) COMMERCIAL LICENSES.—Section 103 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2133(d)) is amended, in the second sentence—

(A) by inserting “for a production facility” after “No license”; and

(B) by striking “any any” and inserting “any”.

(2) MEDICAL THERAPY AND RESEARCH DEVELOPMENT LICENSES.—Section 104 d. of the Atomic Energy Act of 1954 (42 U.S.C. 2134(d)) is amended, in the second sentence, by inserting “for a production facility” after “No license”.

(m) STRATEGIC INFRASTRUCTURE FUND WORKING GROUP.—

(1) ESTABLISHMENT.—There is established a working group, to be known as the “Strategic Infrastructure Fund Working Group” (referred to in this subsection as the “working group”) to provide input on the feasibility of establishing a program to support strategically important capital-intensive infrastructure projects.

(2) COMPOSITION.—The working group shall be—

(A) led by a White House official, who may be the Assistant (if appointed), who shall serve as the White House focal point with respect to matters relating to the working group; and

(B) composed of—

(i) senior-level Federal officials, selected by the head of the applicable Federal agency or organization, from—

(I) the Department of State;

(II) the Department of the Treasury;

(III) the Department of Commerce;
 (IV) the Department of Energy;
 (V) the Export-Import Bank of the United States;

(VI) the United States International Development Finance Corporation; and

(VII) the Nuclear Regulatory Commission;
 (ii) other senior-level Federal officials, selected by the head of the applicable Federal agency or organization, from any other Federal agency or organization that the Secretary determines to be appropriate; and

(iii) any senior-level Federal official selected by the White House official described in subparagraph (A) from any Federal agency or organization.

(3) REPORTING.—The working group shall report to the National Security Council.

(4) DUTIES.—The working group shall—

(A) provide direction and advice to the officials described in subsection (c)(2)(A) and appropriate Federal agencies, as determined by the working group, with respect to the establishment of a Strategic Infrastructure Fund (referred to in this paragraph as the “Fund”) to be used—

(i) to support those aspects of projects relating to—

(I) civil nuclear technologies; and
 (II) microprocessors; and
 (ii) for strategic investments identified by the working group; and

(B) address critical areas in determining the appropriate design for the Fund, including—

(i) transfer of assets to the Fund;
 (ii) transfer of assets from the Fund;
 (iii) how assets in the Fund should be invested; and
 (iv) governance and implementation of the Fund.

(5) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the working group shall submit to the committees described in subparagraph (B) a report on the findings of the working group that includes suggested legislative text for how to establish and structure a Strategic Infrastructure Fund.

(B) COMMITTEES DESCRIBED.—The committees referred to in subparagraph (A) are—

(i) the Committee on Foreign Relations, the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Finance of the Senate; and

(ii) the Committee on Foreign Affairs, the Committee on Energy and Commerce, the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Ways and Means of the House of Representatives.

(C) ADMINISTRATION OF THE FUND.—The report submitted under subparagraph (A) shall include suggested legislative language requiring all expenditures from a Strategic Infrastructure Fund established in accordance with this subsection to be administered by the Secretary of State (or a designee of the Secretary of State).

(n) NOTIFICATION WITH RESPECT TO SAFETY AND SECURITY OF NEW EXPORTS OF ADVANCED NUCLEAR REACTORS.—Before the United States may export an advanced nuclear reactor to a country that has not previously received an advanced nuclear reactor from the United States, the Secretary, in coordination with the Secretary of State, shall provide a notification to the appropriate committees of Congress that addresses whether the country—

(1) is technically equipped to safely operate and maintain the advanced nuclear reactor; and

(2) has a transparency plan in place for oversight of any assistance received from the United States Government for the purpose of purchasing the advanced nuclear reactor.

(O) ENSURING CONTINUED SAFETY AND SECURITY OVERSIGHT OF ENHANCED ENERGY COOPERATION.—

(1) BRIEFING REQUIRED.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, the Secretary of Defense, and the Secretary (or their designees) shall jointly brief the committees of Congress described in subparagraph (B) on the procedures being used to mitigate any nuclear proliferation risks of—

(i) any recommendations for enhanced energy cooperation that may emerge from the meetings described in subsection (g)(1); or
 (ii) any new exports of advanced nuclear reactors.

(B) COMMITTEES OF CONGRESS DESCRIBED.—The committees of Congress referred to in subparagraph (A) are—

(i) the Committees on Foreign Relations, Energy and Natural Resources, and Armed Services of the Senate; and

(ii) the Committees on Foreign Affairs, Energy and Commerce, and Armed Services of the House of Representatives.

(2) PROHIBITION ON EXPORTS OF NUCLEAR REACTORS TO CERTAIN COUNTRIES.—On and after the date of the enactment of this Act, an advanced nuclear reactor may not be exported from the United States to a country unless that country—

(A) has signed an additional protocol to its safeguards agreement with the International Atomic Energy Agency;

(B) has put in place a comprehensive safeguards agreement and is working toward signing an additional protocol with the International Atomic Energy Agency; or

(C) is party to a civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) (commonly known as a “123 Agreement”).

(P) JOINT ASSESSMENT BETWEEN THE UNITED STATES AND INDIA ON NUCLEAR LIABILITY RULES.—

(1) IN GENERAL.—The Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall establish and maintain within the U.S.-India Strategic Security Dialogue a joint consultative mechanism with the Government of the Republic of India that convenes on a recurring basis—

(A) to assess the implementation of the Agreement for Cooperation between the Government of the United States of America and the Government of India Concerning Peaceful Uses of Nuclear Energy, signed at Washington October 10, 2008 (TIAS 08-1206);

(B) to discuss opportunities for the Republic of India to align domestic nuclear liability rules with international norms; and

(C) to develop a strategy for the United States and the Republic of India to pursue bilateral and multilateral diplomatic engagements related to analyzing and implementing those opportunities.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, shall submit to the appropriate committees of Congress a report that describes the joint assessment developed pursuant to paragraph (1)(A).

(Q) LESSONS LEARNED FROM THE ZAPORIZHZHYA NUCLEAR POWER PLANT.—

(1) BRIEFING.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of State (or a designee of the Secretary of State) shall provide a briefing to

the appropriate committees of Congress regarding the capture of the Zaporizhzhya nuclear power plant by Russian armed forces.

(B) REQUIREMENTS.—The briefing required by subparagraph (A) shall focus on—

(i) events leading up to the capture of the Zaporizhzhya nuclear power plant by Russian armed forces;

(ii) ongoing efforts to ensure the continued operation of the reactor and the safety and security of the plant;

(iii) efforts to mitigate potential risks to the surrounding civilian population; and

(iv) any safety and security measures implemented since the capture.

(2) REPORT.—

(A) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress a report outlining lessons learned from attacks on the Zaporizhzhya nuclear power plant, including—

(i) the efforts to ensure the safety and security of the Zaporizhzhya nuclear power plant;

(ii) how those lessons can be applied to other nuclear sites in Ukraine while there is an ongoing threat of armed conflict in Ukraine; and

(iii) how those lessons could apply to other nuclear power plants in the event of armed conflict.

(B) FORM OF REPORT.—The report required by subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

SA 153. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, insert the following:

SEC. 12 . REPORT ON ENERGY POLICY AND COMMERCIAL AND MILITARY STRATEGIES OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Energy, shall submit to the appropriate committees of Congress a report on—

(1) the extent to which supply vulnerabilities drive the energy policy of the People's Republic of China; and

(2) the impact of such policy on the commercial and military strategies of the People's Republic of China.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the oil insecurity of the People's Republic of China and the policies the Government of the People's Republic of China has adopted to mitigate such oil insecurity.

(2) Recommendations for actions the United States Government may take to complicate such policies.

(3) An analysis of actions taken by the navy of the People's Liberation Army to challenge the United States Navy in commercial sea lanes and commercial sea routes that are vital to the People's Republic of China.

(4) An analysis of the feasibility of and the military requirements for, in the event of a conflict with the People's Republic of China,

an effective blockade of energy shipments bound for the People's Republic of China, and recommendations for—

(A) force requirements necessary in the Indian Ocean, the South China Sea, and the Strait of Malacca; and

(B) incorporating regional allied and partner countries—

(i) to effectively deter or defeat the navy of the People's Liberation Army; or

(ii) to implement such a blockade.

(5) An analysis of the ability of the People's Republic of China to satisfy its energy needs during a crisis or conflict through—

(A) pipelines;

(B) overland shipments;

(C) rationing; and

(D) stockpiles.

(6) An identification of commercial projects in South Asia or Central Asia under consideration by the Government of the People's Republic of China to bypass sea routes, and an assessment of the best method for the United States to frustrate or complicate the implementation of such projects.

(7) Recommendations on the best methods to leverage, for the benefit of United States commercial and military interests in the region, the dependence of the People's Republic of China on oil imports through sea routes.

(8) An analysis of the role of oil in the energy policy of the People's Republic of China and in the operation of the People's Liberation Army.

(9) An assessment of the effect that potential disruptions in oil imports would have on the electricity supply, industrial output, and national security of the People's Republic of China.

(10) Recommendations for executive and congressional action—

(A) to disrupt efforts by national oil companies of the People's Republic of China to cultivate relations with oil suppliers in the developing world; and

(B) to counteract the increasing control exercised by such companies over foreign oil production through the use of oil-backed loans.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives.

SA 154. Mr. MANCHIN (for himself, Mr. BARRASSO, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXI, insert the following:

SEC. 31. U.S. NUCLEAR FUEL SECURITY INITIATIVE.

(a) **SHORT TITLE.**—This section may be cited as the “Nuclear Fuel Security Act of 2023”.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Department should—

(A) prioritize activities to increase domestic production of low-enriched uranium; and

(B) accelerate efforts to establish a domestic high-assay, low-enriched uranium enrichment capability; and

(2) if domestic enrichment of high-assay, low-enriched uranium will not be commercially available at the scale needed in time to meet the needs of the advanced nuclear reactor demonstration projects of the Department, the Secretary shall consider and implement, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, without impacting existing Department missions, until such time that commercial enrichment and deconversion capability for high-assay, low-enriched uranium exists at a scale sufficient to meet future needs; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(c) **OBJECTIVES.**—The objectives of this section are—

(1) to expeditiously increase domestic production of low-enriched uranium;

(2) to expeditiously increase domestic production of high-assay, low-enriched uranium by an annual quantity, and in such form, determined by the Secretary to be sufficient to meet the needs of—

(A) advanced nuclear reactor developers; and

(B) the consortium;

(3) to ensure the availability of domestically produced, converted, enriched, deconverted, and reduced uranium in a quantity determined by the Secretary, in consultation with U.S. nuclear energy companies, to be sufficient to address a reasonably anticipated supply disruption;

(4) to address gaps and deficiencies in the domestic production, conversion, enrichment, deconversion, and reduction of uranium by partnering with countries that are allies or partners of the United States if domestic options are not practicable;

(5) to ensure that, in the event of a supply disruption in the nuclear fuel market, a reserve of nuclear fuels is available to serve as a backup supply to support the nuclear non-proliferation and civil nuclear energy objectives of the Department;

(6) to support enrichment, deconversion, and reduction technology deployed in the United States; and

(7) to ensure that, until such time that domestic enrichment and deconversion of high-assay, low-enriched uranium is commercially available at the scale needed to meet the needs of advanced nuclear reactor developers, the Secretary considers and implements, as necessary—

(A) all viable options to make high-assay, low-enriched uranium produced from inventories owned by the Department available in a manner that is sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers; and

(B) all viable options for partnering with countries that are allies or partners of the United States to meet those needs and schedules.

(d) **DEFINITIONS.**—In this section:

(1) **ADVANCED NUCLEAR REACTOR.**—The term “advanced nuclear reactor” has the meaning given the term in section 951(b) of the Energy Policy Act of 2005 (42 U.S.C. 16271(b)).

(2) **ASSOCIATED ENTITY.**—The term “associated entity” means an entity that—

(A) is owned, controlled, or dominated by—

(i) the government of a country that is an ally or partner of the United States; or

(ii) an associated individual; or

(B) is organized under the laws of, or otherwise subject to the jurisdiction of, a country that is an ally or partner of the United States, including a corporation that is incorporated in such a country.

(3) **ASSOCIATED INDIVIDUAL.**—The term “associated individual” means an alien who is a national of a country that is an ally or partner of the United States.

(4) **CONSORTIUM.**—The term “consortium” means the consortium established under section 2001(a)(2)(F) of the Energy Act of 2020 (42 U.S.C. 16281(a)(2)(F)).

(5) **DEPARTMENT.**—The term “Department” means the Department of Energy.

(6) **HIGH-ASSAY, LOW-ENRICHED URANIUM; HALEU.**—The term “high-assay, low-enriched uranium” or “HALEU” means high-assay low-enriched uranium (as defined in section 2001(d) of the Energy Act of 2020 (42 U.S.C. 16281(d))).

(7) **LOW-ENRICHED URANIUM; LEU.**—The term “low-enriched uranium” or “LEU” means each of—

(A) low-enriched uranium (as defined in section 3102 of the USEC Privatization Act (42 U.S.C. 2297h)); and

(B) low-enriched uranium (as defined in section 3112A(a) of that Act (42 U.S.C. 2297h-10a(a))).

(8) **PROGRAMS.**—The term “Programs” means—

(A) the Nuclear Fuel Security Program established under subsection (e)(1);

(B) the American Assured Fuel Supply Program of the Department; and

(C) the HALEU for Advanced Nuclear Reactor Demonstration Projects Program established under subsection (e)(3).

(9) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

(10) **U.S. NUCLEAR ENERGY COMPANY.**—The term “U.S. nuclear energy company” means a company that—

(A) is organized under the laws of, or otherwise subject to the jurisdiction of, the United States; and

(B) is involved in the nuclear energy industry.

(e) **ESTABLISHMENT AND EXPANSION OF PROGRAMS.**—The Secretary, consistent with the objectives described in subsection (c), shall—

(1) establish a program, to be known as the “Nuclear Fuel Security Program”, to increase the quantity of LEU and HALEU produced by U.S. nuclear energy companies;

(2) expand the American Assured Fuel Supply Program of the Department to ensure the availability of domestically produced, converted, enriched, deconverted, and reduced uranium in the event of a supply disruption; and

(3) establish a program, to be known as the “HALEU for Advanced Nuclear Reactor Demonstration Projects Program”—

(A) to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers until such time that commercial enrichment and deconversion capability for HALEU exists in the United States at a scale sufficient to meet future needs; and

(B) where practicable, to partner with countries that are allies or partners of the United States to meet those needs and schedules until that time.

(f) **NUCLEAR FUEL SECURITY PROGRAM.**—

(1) **IN GENERAL.**—In carrying out the Nuclear Fuel Security Program, the Secretary—

(A) shall—

(i) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts to begin acquiring not less than 100 metric tons per year of LEU by December 31, 2026 (or the earliest operationally feasible

date thereafter), to ensure diversity of supply in domestic uranium mining, conversion, enrichment, and deconversion capacity and technologies, including new capacity, among U.S. nuclear energy companies;

(ii) not later than 180 days after the date of enactment of this Act, enter into 2 or more contracts with members of the consortium to begin acquiring not less than 20 metric tons per year of HALEU by December 31, 2027 (or the earliest operationally feasible date thereafter), from U.S. nuclear energy companies;

(iii) utilize only uranium produced, converted, enriched, deconverted, and reduced in—

(I) the United States; or

(II) if domestic options are not practicable, a country that is an ally or partner of the United States; and

(iv) to the maximum extent practicable, ensure that the use of domestic uranium utilized as a result of that program does not negatively affect the economic operation of nuclear reactors in the United States; and

(B)(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (j)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(2) CONSIDERATIONS.—In carrying out paragraph (1)(A)(ii), the Secretary shall consider and, if appropriate, implement—

(A) options to ensure the quickest availability of commercially enriched HALEU, including—

(i) partnerships between 2 or more commercial enrichers; and

(ii) utilization of up to 10-percent enriched uranium as feedstock in demonstration-scale or commercial HALEU enrichment facilities;

(B) options to partner with countries that are allies or partners of the United States to provide LEU and HALEU for commercial purposes;

(C) options that provide for an array of HALEU—

(i) enrichment levels;

(ii) output levels to meet demand; and

(iii) fuel forms, including uranium metal and oxide; and

(D) options—

(i) to replenish, as necessary, Department stockpiles of uranium that were intended to be downblended for other purposes, but were instead used in carrying out activities under the HALEU for Advanced Nuclear Reactor Demonstration Projects Program;

(ii) to continue supplying HALEU to meet the needs of the recipients of an award made pursuant to the funding opportunity announcement of the Department numbered DE-FOA-0002271 for Pathway 1, Advanced Reactor Demonstrations; and

(iii) to make HALEU available to other advanced nuclear reactor developers and other end-users.

(3) AVOIDANCE OF MARKET DISRUPTIONS.—In carrying out the Nuclear Fuel Security Pro-

gram, the Secretary, to the extent practicable and consistent with the purposes of that program, shall not disrupt or replace market mechanisms by competing with U.S. nuclear energy companies.

(g) EXPANSION OF THE AMERICAN ASSURED FUEL SUPPLY PROGRAM.—The Secretary, in consultation with U.S. nuclear energy companies, shall—

(1) expand the American Assured Fuel Supply Program of the Department by merging the operations of the Uranium Reserve Program of the Department with the American Assured Fuel Supply Program; and

(2) in carrying out the American Assured Fuel Supply Program of the Department, as expanded under paragraph (1)—

(A) maintain, replenish, diversify, or increase the quantity of uranium made available by that program in a manner determined by the Secretary to be consistent with the purposes of that program and the objectives described in subsection (c);

(B) utilize only uranium produced, converted, enriched, deconverted, and reduced in—

(i) the United States; or

(ii) if domestic options are not practicable, a country that is an ally or partner of the United States;

(C) make uranium available from the American Assured Fuel Supply, subject to terms and conditions determined by the Secretary to be reasonable and appropriate;

(D) refill and expand the supply of uranium in the American Assured Fuel Supply, including by maintaining a limited reserve of uranium to address a potential event in which a domestic or foreign recipient of uranium experiences a supply disruption for which uranium cannot be obtained through normal market mechanisms or under normal market conditions; and

(E) take other actions that the Secretary determines to be necessary or appropriate to address the purposes of that program and the objectives described in subsection (c).

(h) HALEU FOR ADVANCED NUCLEAR REACTOR DEMONSTRATION PROJECTS PROGRAM.—

(1) ACTIVITIES.—On enactment of this Act, the Secretary shall immediately accelerate and, as necessary, initiate activities to make available from inventories or stockpiles owned by the Department and made available to the consortium, HALEU for use in advanced nuclear reactors that cannot operate on uranium with lower enrichment levels or on alternate fuels, with priority given to the awards made pursuant to the funding opportunity announcement of the Department numbered DE-FOA-0002271 for Pathway 1, Advanced Reactor Demonstrations, with additional HALEU to be made available to other advanced nuclear reactor developers, as the Secretary determines to be appropriate.

(2) QUANTITY.—In carrying out activities under this subsection, the Secretary shall consider and implement, as necessary, all viable options to make HALEU available in quantities and forms sufficient to maximize the potential for the Department to meet the needs and schedules of advanced nuclear reactor developers, including by seeking to make available—

(A) by September 30, 2024, not less than 3 metric tons of HALEU;

(B) by December 31, 2025, not less than an additional 8 metric tons of HALEU; and

(C) by June 30, 2026, not less than an additional 10 metric tons of HALEU.

(3) FACTORS FOR CONSIDERATION.—In carrying out activities under this subsection, the Secretary shall take into consideration—

(A) options for providing HALEU from a stockpile of uranium owned by the Department, including—

(i) uranium that has been declared excess to national security needs during or prior to fiscal year 2023;

(ii) uranium that—

(I) directly meets the needs of advanced nuclear reactor developers; but

(II) has been previously used or fabricated for another purpose;

(iii) uranium that can meet the needs of advanced nuclear reactor developers after removing radioactive or other contaminants that resulted from previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department, including activities that reduce the environmental liability of the Department by accelerating the processing of uranium from stockpiles designated as waste;

(iv) uranium from a high-enriched uranium stockpile (excluding stockpiles intended for national security needs), which can be blended with lower assay uranium to become HALEU to meet the needs of advanced nuclear reactor developers; and

(v) uranium from stockpiles intended for other purposes (excluding stockpiles intended for national security needs), but for which uranium could be swapped or replaced in time in such a manner that would not negatively impact the missions of the Department;

(B) options for expanding, or establishing new, capabilities or infrastructure to support the processing of uranium from Department inventories;

(C) options for accelerating the availability of HALEU from HALEU enrichment demonstration projects of the Department;

(D) options for providing HALEU from domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (e)(1);

(E) options to replenish, as needed, Department stockpiles of uranium made available pursuant to subparagraph (A) with domestically enriched HALEU procured by the Department through a competitive process pursuant to the Nuclear Fuel Security Program established under subsection (e)(1); and

(F) options that combine 1 or more of the approaches described in subparagraphs (A) through (E) to meet the deadlines described in paragraph (2).

(4) LIMITATIONS.—

(A) CERTAIN SERVICES.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to—

(i) the final disposition of radioactive waste from uranium that is the subject of a contract for sale, resale, transfer, or lease under this subsection; or

(ii) environmental cleanup activities.

(B) CERTAIN COMMITMENTS.—In carrying out activities under this subsection, the Secretary—

(i) may not make commitments under this subsection (including cooperative agreements (used in accordance with section 6305 of title 31, United States Code), purchase agreements, guarantees, leases, service contracts, or any other type of commitment) for the purchase or other acquisition of HALEU or LEU unless—

(I) funds are specifically provided for those purposes in advance in appropriations Acts enacted after the date of enactment of this Act; or

(II) the commitment is funded entirely by funds made available to the Secretary from the account described in subsection (j)(2)(B); and

(ii) may make a commitment described in clause (i) only—

(I) if the full extent of the anticipated costs stemming from the commitment is recorded as an obligation at the time that the commitment is made; and

(II) to the extent of that up-front obligation recorded in full at that time.

(5) **SUNSET.**—The authority of the Secretary to carry out activities under this subsection shall terminate on the date on which the Secretary notifies Congress that the HALEU needs of advanced nuclear reactor developers can be fully met by commercial HALEU suppliers in the United States, as determined by the Secretary, in consultation with U.S. nuclear energy companies.

(i) **DOMESTIC SOURCING CONSIDERATIONS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Secretary may only carry out an activity in connection with 1 or more of the Programs if—

(A) the activity promotes manufacturing in the United States associated with uranium supply chains; or

(B) the activity relies on resources, materials, or equipment developed or produced—

(i) in the United States; or

(ii) in a country that is an ally or partner of the United States by—

(I) the government of that country;

(II) an associated entity; or

(III) a U.S. nuclear energy company.

(2) **WAIVER.**—The Secretary may waive the requirements of paragraph (1) with respect to an activity if the Secretary determines a waiver to be necessary to achieve 1 or more of the objectives described in subsection (c).

(j) **REASONABLE COMPENSATION.**—

(1) **IN GENERAL.**—In carrying out activities under this section, the Secretary shall ensure that any LEU and HALEU made available by the Secretary under 1 or more of the Programs is subject to reasonable compensation, taking into account the fair market value of the LEU or HALEU and the purposes of this section.

(2) **AVAILABILITY OF CERTAIN FUNDS.**—

(A) **IN GENERAL.**—Notwithstanding section 3302(b) of title 31, United States Code, revenues received by the Secretary from the sale or transfer of fuel feed material acquired by the Secretary pursuant to a contract entered into under clause (i) or (ii) of subsection (f)(1)(A) shall—

(i) be deposited in the account described in subparagraph (B);

(ii) be available to the Secretary for carrying out the purposes of this section, to reduce the need for further appropriations for those purposes; and

(iii) remain available until expended.

(B) **REVOLVING FUND.**—There is established in the Treasury an account into which the revenues described in subparagraph (A) shall be—

(i) deposited in accordance with clause (i) of that subparagraph; and

(ii) made available in accordance with clauses (ii) and (iii) of that subparagraph.

(k) **NUCLEAR REGULATORY COMMISSION.**—The Nuclear Regulatory Commission shall prioritize and expedite consideration of any action related to the Programs to the extent permitted under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and related statutes.

(l) **USEC PRIVATIZATION ACT.**—The requirements of section 3112(d)(2) of the USEC Privatization Act (42 U.S.C. 2297h-10(d)(2)) shall not apply to activities related to the Programs.

(m) **NATIONAL SECURITY NEEDS.**—The Secretary shall only make available to a member of the consortium under this section for commercial use or use in a demonstration project material that the President has determined is not necessary for national security needs during or prior to fiscal year 2023, subject to the condition that the material

made available shall not include any material that the Secretary determines to be necessary for the National Nuclear Security Administration or any critical mission of the Department.

(n) **INTERNATIONAL AGREEMENTS.**—This section shall be applied in a manner consistent with the obligations of the United States under international agreements.

(o) **REPORT ON CIVIL NUCLEAR CREDIT PROGRAM.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report that identifies the anticipated funding requirements for the civil nuclear credit program described in section 40323 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18753), taking into account—

(1) the zero-emission nuclear power production credit authorized by section 45U of the Internal Revenue Code of 1986; and

(2) any increased fuel costs associated with the use of domestic fuel that may arise from the implementation of that program.

(p) **SUPPLY CHAIN INFRASTRUCTURE AND WORKFORCE CAPACITY BUILDING.**—

(1) **SUPPLY CHAIN INFRASTRUCTURE.**—Section 10781(b)(1) of Public Law 117-167 (commonly known as the “CHIPS and Science Act of 2022”) (42 U.S.C. 19351(b)(1)) is amended by striking “and demonstration of advanced nuclear reactors” and inserting “demonstration, and deployment of advanced nuclear reactors and associated supply chain infrastructure”.

(2) **WORKFORCE CAPACITY BUILDING.**—Section 954(b) of the Energy Policy Act of 2005 (42 U.S.C. 16274(b)) is amended—

(A) in the subsection heading, by striking “Graduate”;

(B) by striking “graduate” each place it appears;

(C) in paragraph (2)(A), by inserting “community colleges, trade schools, registered apprenticeship programs, pre-apprenticeship programs,” after “universities,”;

(D) in paragraph (3), by striking “2021 through 2025” and inserting “2023 through 2027”;

(E) by redesignating paragraph (3) as paragraph (4); and

(F) by inserting after paragraph (2) the following:

“(A) **FOCUS AREAS.**—In carrying out the subprogram under this subsection, the Secretary may implement traineeships in focus areas that, in the determination of the Secretary, are necessary to support the nuclear energy sector in the United States, including—

“(i) research and development;

“(ii) construction and operation;

“(iii) associated supply chains; and

“(iv) workforce training and retraining to support transitioning workforces.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have five requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 11, 2023, at 9:30 a.m., to conduct a hearing on a nomination.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, July 11, 2023, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 11, 2023, at 1:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

The Subcommittee on Housing, Transportation, and Community Development of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, July 11, 2023, at 2:15 p.m., to conduct a hybrid hearing.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, July 11, 2023, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Ms. MURKOWSKI. Madam President, I ask unanimous consent that privileges of the floor be granted to my second session summer interns, who are Madisen Lundamo, Jackson Church, Claire Moreland, Zev Katz, Sierra Sterling, McKinley Rhoades, Lillian Yang, Cameron Paison, Emma Mullet, Shanone Tejada, and to my Senate Committee on Indian Affairs interns, who are Morgan Gray and Micah Wimmer, for the month of July 2023, as well as to my Coast Guard fellow, Amanda Klawinski, for the duration of the 118th Congress.

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

EXPRESSING SUPPORT FOR THE DESIGNATION OF JUNE 2023 AS “NATIONAL DAIRY MONTH”

EXPRESSING SUPPORT FOR THE DESIGNATION OF JULY 2023 AS “AMERICAN GROWN FLOWER MONTH”

HONORING THE LIFE OF OLIVER HAZARD PERRY MORTON

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be discharged from further consideration of S. Res. 284 and the Senate now proceed to the en bloc consideration of the following resolutions: S. Res. 284, S. Res. 289, and S. Res. 290.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolution (S. Res. 284), with its preamble, is printed in the RECORD of June 22, 2023, under "Submitted Resolutions.")

(The resolutions (S. Res. 289 and S. Res. 290), with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, JULY 12, 2023

Mr. SCHUMER. Finally, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, July 12; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each; further, that at 11:30 a.m. the Senate proceed to executive session and vote on confirmation of the Cartwright nomination; that the cloture motions filed during yesterday's session ripen during the disposition of the Cartwright nomination; that if cloture is invoked on the Joun nomination, all time be considered expired at 2:30 p.m.; that if cloture is invoked on the Kotagal nomination, all time be considered expired at 5:30 p.m.; finally, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

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

Mr. SCHUMER. For the information of the Senate, Members should expect two votes at 11:30 a.m., two votes at 2:30 p.m., and two votes at 5:30 p.m.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:15 p.m., adjourned until Wednesday, July 12, 2023, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

FEDERAL TRADE COMMISSION

ANDREW N. FERGUSON, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE UNEXPIRED TERM

OF SEVEN YEARS FROM SEPTEMBER 26, 2016, VICE NOAH JOSHUA PHILLIPS.

ANDREW N. FERGUSON, OF VIRGINIA, TO BE A FEDERAL TRADE COMMISSIONER FOR THE TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2023. (REAPPOINTMENT)

MELISSA HOLYOAK, OF UTAH, TO BE A FEDERAL TRADE COMMISSIONER FOR THE UNEXPIRED TERM OF SEVEN YEARS FROM SEPTEMBER 26, 2018, VICE CHRISTINE S. WILSON, RESIGNED.

INTERNATIONAL BROADCASTING ADVISORY BOARD

JAMIE FLY, OF VIRGINIA, TO BE A MEMBER OF THE INTERNATIONAL BROADCASTING ADVISORY BOARD FOR A TERM EXPIRING JANUARY 1, 2027. (NEW POSITION)

JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

LAURA DOVE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING NOVEMBER 17, 2029. (REAPPOINTMENT)

LAURA DOVE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING NOVEMBER 17, 2023, VICE PAULINE R. MAIER, TERM EXPIRED.

BRADFORD PENTONY WILSON, OF NEW JERSEY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION FOR A TERM EXPIRING SEPTEMBER 27, 2026, VICE CATHERINE ALLGOR, TERM EXPIRED.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

AMANDA WOOD LAHOW, OF MAINE, TO BE A MEMBER OF OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2029. (REAPPOINTMENT)

MERIT SYSTEMS PROTECTION BOARD

HENRY J. KERNER, OF VIRGINIA, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2030, VICE TRISTAN LYNN LEAVITT, TERM EXPIRED.

THE JUDICIARY

KATHERINE E. OLER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JOHN M. CAMPBELL, RETIRED.

JUDITH E. PIPE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE MICHAEL L. RANKIN, RETIRED.

CHARLES J. WILLOUGHBY, JR., OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, WILLIAM M. JACKSON, RETIRED.

JOSEPH ALBERT LAROSKI, JR., OF MARYLAND, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE TIMOTHY C. STANCEU, RETIRED.

JENNIFER L. HALL, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF DELAWARE, VICE RICHARD G. ANDREWS, RETIRING.

BRANDY R. MCMILLION, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE GERSHWIN A. DRAIN, RETIRED.

LISA W. WANG, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE LEO MAURY GORDON, RETIRED.

DEPARTMENT OF JUSTICE

APRIL M. PERRY, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE JOHN R. LAUSCH, JR., RESIGNED.

THE JUDICIARY

KAROLINE MEHALCHICK, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, VICE JOHN E. JONES III, RETIRED.

MARGARET M. GARNETT, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE VINCENT L. BRICCETTI, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHAEL J. LUTTON

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS VICE CHIEF OF STAFF OF THE ARMY AND APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 7034:

To be general

LT. GEN. JAMES J. MINGUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED

WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS L. JAMES

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

To be major general

BRIG. GEN. CHRISTINE A. BEELER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. CHARLES D. COSTANZA

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAMES H. ADAMS III

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. JOHN B. SKILLMAN

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

To be rear admiral (lower half)

CAPT. MICHAEL T. SPENCER

IN THE SPACE FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. MICHAEL A. GUETLEIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. STEPHEN N. WHITING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES SPACE FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. PHILIP A. GARRANT

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

To be major general

BRIG. GEN. DONALD J. COTHERN

BRIG. GEN. TROY L. ENDICOTT

BRIG. GEN. TIMOTHY A. SEJBA

CONFIRMATIONS

Executive nominations confirmed by the Senate July 11, 2023:

THE JUDICIARY

KYMBERLY KATHRYN EVANSON, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF WASHINGTON.

DEPARTMENT OF JUSTICE

ROSEMARIE HIDALGO, OF THE DISTRICT OF COLUMBIA, TO BE DIRECTOR OF THE VIOLENCE AGAINST WOMEN OFFICE, DEPARTMENT OF JUSTICE.

DEPARTMENT OF AGRICULTURE

XOCHITL TORRES SMALL, OF NEW MEXICO, TO BE DEPUTY SECRETARY OF AGRICULTURE.