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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, March 17, 2023, at 11 a.m.

Senate

THURSDAY, MARCH 16, 2023

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

PRAYER

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

Let us pray.

Eternal God, who made us in Your image, thank You for Your sustaining power. Because of You, we receive the gift of heartbeats each day. Great is Your faithfulness. Lord, enable us to see Your divine image in every human being.

Bless our lawmakers. Bring to the surface the goodness within each of them. Keep them safe as You give them the wisdom to do Your will on Earth, even as it is done in Heaven.

Lord, give us all insights into Your will and the courage to do it.

We pray in Your matchless Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Jessica G. L. Clarke, of New York, to be United States District Judge for the Southern District of New York.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. SCHUMER. Madam President, now, almost 20 years to the day that U.S. military operations began in Iraq, the U.S. Senate begins the process of repealing the Iraq AUMFs—the ones of 2002 and 1991—putting the final remnants of those conflicts squarely behind us.

The United States, the Nation of Iraq, and the entire world have changed dramatically since 2002, and it is time the laws on the books catch up with these changes. The Iraq war has itself been long over. This AUMF has outlived its purpose, and we can no longer justify keeping it in effect.

While the Iraq war was the cause of so much bitterness in the past, I am glad that repealing these AUMFs has been a genuinely bipartisan effort. I expect we will have a number of amendment votes on the floor once this amendment is before us, and I want to thank Senators KAINE and YOUNG, Chairman MENENDEZ, Ranking Member RISCH, and all the Senate Foreign Relations Committee and the cosponsors of this legislation.

Again, this is a bipartisan process. Both parties in this Chamber have voiced support for repeal. President Biden has voiced support for repealing this AUMF, and in June of 2021, our House colleagues voted 268 to 168 to repeal, with 49 Republicans in support.

I hope this year, on the 20th anniversary of the start of the Iraq war, both Chambers will finally speak in one voice and send an AUMF repeal to the President's desk.

Americans are tired of endless wars in the Middle East. Many Americans have come of age without even remembering the early years of the Iraq war. Every year we leave these AUMFs on the books is another year that a future administration can abuse them, and Congress—the rightful dispenser of war powers—cannot allow this to continue.

I want to make this clear: Repealing this AUMF will not in any way hinder our national defense, nor will it hurt the efforts of our troops deployed overseas. In fact, the repeal is an important step for strengthening our relationship with Iraq.

So once again, thank you to all my colleagues for their good work on this resolution, and I urge everyone on both sides to vote ''yes'' on cloture on the motion to proceed in a few hours.

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

NOMINATION OF JESSICA G. L. CLARKE

Madam President, on the Clarke nomination today, the Senate will confirm a highly qualified judicial nominee from New York, whom I was very proud to recommend, Jessica Clarke, to serve as a U.S. district judge for the Southern District of New York.

Ms. Clarke had all the opportunities in the world to enter private practice in New York, but instead she chose the path of public service. She has worked in the Department of Justice's Civil Rights Division and the New York attorney general's Civil Rights Bureau. She is a great civil rights lawyer, and I am certain she will make an excellent member of the Federal bench.

It would have been difficult to imagine someone like Ms. Clarke being nominated to the Federal bench a generation ago, but because of her talent and her dedication to the rule of law, she is rightfully taking her place on the bench today. Our courts will be better for it. I look forward to supporting her confirmation and urge my colleagues to vote in her favor.

INSULIN

Madam President, now on insulin, the exponential spike in the cost of insulin is one of the most unjust and widespread healthcare bad trends in the past few decades. This drug, discovered a century ago and which is exceedingly cheap to produce, has seen its price surge in recent years, sometimes far beyond $300 for a month's supply. That is cruel. It is unjust. It causes anguish for so many, but it is also for so many a reality.

Senate Democrats took a major step toward basic fairness last year by capping the cost of insulin for people on Medicare at $35 a month. Since Democrats took action, Big Pharma has taken note. Eli Lilly announced a few weeks ago that they, too, will be capping the cost of insulin for patients at $35 a month as well as dramatically dropping the overall price. And just this week, Novo Nordisk also decided to drop their price in a similar manner.

So today I call on the third big drugmaker of insulin—Sanofi—to end their practice of keeping insulin prices at sky-high levels so that Americans can afford to pay for diabetes treatment without going broke.

I will be sending Sanofi a letter soon expressing my desire and Americans' strong desire for them to drop the price of insulin.

Lowering insulin costs for all patients is the right thing to do, and I hope Sanofi makes the correct decision to lower their prices very soon, just like Eli Lilly and Novo Nordisk have done.

All of us know somebody with diabetes. Put yourself in their shoes and imagine the sheer agony of struggling to afford this basic drug just so you can live a decent and healthy life, so you don't have to worry about going blind or maybe having a leg amputated—just so you can live at all. No American should have to go through that ever—ever—but too many do.

In the Senate, I hope both parties can build on the work last year to cap patient insulin costs at $35 a month for everyone. We did it for Medicare. We can do it for everyone else. And we hope we can get that done on a bipartisan basis. Lowering insulin prices isn't a Democratic issue or a Republican issue; it is purely American. And I hope we can get something done. But today, the most immediate thing that can happen is for Sanofi to listen to the voices of millions of Americans and make the right choice to lower the price they charge for insulin for all patients.

ENERGY

Madam President, now, on energy, yesterday, Speaker MCCARTHY and House Republicans rolled out a bipartisan, unserious, and dead-on-arrival so-called energy package they laughably labeled as H.R. 1.

It is not difficult to see that the Republican proposal is nothing more than a wish list for Big Oil, masquerading as an energy package.

No serious energy package would gut important environmental safeguards on fossil fuel projects while leaving out necessary permitting reforms needed to bring transmission and clean energy projects online.

Rather than prepare for the future, Republicans' Big Oil wish list would lock America into expensive, erratic, and dirty energy sources. The Republicans' so-called energy plan would set us back decades in our transition to clean, affordable energy. It shows the influence that Big Oil has on the Republican House caucus because it seems that this package was almost written by Big Oil.

So let me be clear. The House Republicans' so-called energy bill is dead on arrival in the Senate—dead on arrival. And I would say to my colleagues: We can still get something done. Fortunately, many Democrats and Republicans understand that we need bipartisanship in order to produce a real energy package. As we speak, there are talks happening in good faith about the possibilities of a permitting deal. I strongly—strongly—support both sides working together to arrive at a real energy bipartisan package, not the partisan wish list Republicans have introduced.

Any genuine energy package must include a permitting deal that will ease America's transition to clean energy while also ensuring that clean energy is reliable, accessible, and, most importantly, affordable.

Transmission is vital to getting clean energy from where it is produced to where people live, but the Republicans' H.R. 1 proposal completely ignores this issue, to its detriment and its demise.

Until Republicans recognize that permitting reform is an essential step toward laying the foundation for a clean energy future, no proposal or package they put forward will be taken seriously.

DRONES

Madam President, finally, on drones to air defense and Israel, yesterday, it was reported that Israel approved export licenses for anti-drone jamming systems that could help Ukraine counter Iranian drones used by Russia. They are doing terrible damage, often aimed brutally at civilians who don't have a military consequence.

During our codel's recent visit to Israel, my eight colleagues and I pressed the Israeli Government to take action along these lines. We stressed that supporting Ukraine against Putin is essential for the security of all democracies. The decision by the Israeli Government to approve export licenses for anti-drone jamming systems is very good news.

I urge Israel to do more to help our friends in Ukraine. President Zelenskyy has repeatedly asked for air defense systems that can counter missile barrages Putin is sending into Ukraine. I believe it is critical that Israel respond to this request favorably.

I yield the floor.

The PRESIDENT pro tempore. The majority whip.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. DURBIN. Madam President, when the Constitution was written, there were some fundamental principles which were included, and one of them said that any declaration of war in the United States had to have the approval of the American people through their elected representatives in Congress. It was an awesome responsibility and an important one. I think it was the right responsibility given to the people through their elected representatives.

After World War II, there were several engagements by the American military without such declaration of war. Those were, of course, controversial and debated, but I am sure you recall and I do, too, October of the year 2002, when this Senate was called on, with the House of Representatives, to consider the invasion of Iraq and the authorization of use of military force for that purpose.

We may have forgotten by now, 20 years later, but I remember very vividly the fearsome national debate over whether this Nation, having been hit by 9/11, needed to invade Iraq.

The rationale was weapons of mass destruction were present in Iraq, threatening not only nations in the Middle East, which were our friends and allies, but even threatening the United States of America.

That threat, weapons of mass destruction, was beaten into our heads day after day. But many of us were skeptical, and the vote came on the floor of the Senate, I recall, in October of 2002. It happened late at night. And at the end of the day, there were 23 of us—1 Republican and 22 Democrats—who voted against that authorization for the use of military force in Iraq.

I look back on it, as I am sure others do, as one of the most important votes

that I ever cast. It was not only a decision about going to war, but it was a false argument that weapons of mass destruction were threatening anyone.

After invading and after making the commitment of the American military force, along with our allies, no weapons of mass destruction were ever found in Iraq. It was a lie perpetrated by those who wanted to drag the United States into the Middle East for a long-term commitment and a dubious threat to our country.

The repeal of this authorization of use of military force does not mean the United States has become a pacifist nation. It means that the United States is going to be a constitutional nation, and the premise of our Founding Fathers will be respected.

If there is cause for us to use military force in the future, we should properly follow that Constitution and let the American people have their own voice in this process through their elected representatives in Congress. I am cosponsoring and fully support removal of this authorization of use of military force and believe it is consistent with the vote many of us cast in 2002 against that premise.

BANK FAILURES

Madam President, on a separate issue, Americans woke up with a bad taste of déjà vu last week. We witnessed the biggest bank collapse since 2008. This time, thankfully, President Biden and Federal regulators stepped in swiftly to minimize the damage caused by the failure of Silicon Valley Bank. Their actions helped protect the financial security of Americans across the country, including small business owners in my own home State who banked with SVB and needed to make payroll.

But there is an important lesson here. It is the same lesson we learned after the great recession—and even the Great Depression before it. The financial industry cannot be trusted to police itself, period. We need cops on the beat in our banks, not just for the biggest Wall Street banks but for banks that families entrust with their life savings and paychecks.

Banks like SVB want to have it both ways. During boom times, they disparage anything to do with government and regulation, but as soon as things get rocky or go bust, they come crying to Uncle Sam for a bailout. We have seen it over and over.

Not this time. President Biden made it clear this week that American taxpayers won't be bailing out SVB. The President also emphasized that our banking system is safe because of the actions regulators have taken. Americans should feel confident that their deposits will be there if they need them. But we can't stop there. We need to take action to prevent these financial meltdowns from happening in the first place.

After the great recession in 2008, Congress passed the Dodd-Frank Act, the strongest bank regulations since the Great Depression. Oh, there were a lot of big banks whining and crying about too much government regulation, but we learned our lesson in the great recession and passed that bill in the House and Senate, and it was signed into law.

In 2018, the former President signed a law that rolled back critical parts of the bill, and I am speaking, of course, of President Trump. He decided that Dodd-Frank went too far, in his estimation, and he rolled back some of the protections. And, dramatically, the Trump administration's initiative—dramatically—lowered capital and liquidity requirements for mid-sized banks just like SVB. In other words, then-President Trump's regulatory rollback paved the way for the SVB collapse. That is why, on Tuesday, I joined with my colleagues, under the leadership of Senator ELIZABETH WARREN, in introducing legislation to correct that mistake and restore critical Dodd-Frank protection. This is the least we can do to protect families and small businesses that trust banks with their money.

Importantly, SVB wasn't the only bank that got into trouble this weekend. Two other banks, Silvergate Capital and Signature Bank also failed. Silvergate and Signature were two of the most crypto-friendly institutions and did extensive business with the cryptocurrency industry—an industry that is rife with instability, fraud, and volatility. So the collapse of Silvergate and Signature is really just the latest example of the risk crypto poses to our economy.

For months, I have been sounding the alarm on crypto. Yes, I am a crypto skeptic. The Senate Agriculture Committee, on which I serve, has held multiple hearings in recent months on cryptocurrency and proper regulation of the industry. At those hearings, I warned about the contagion and risk if crypto was more fully integrated into the broader financial system. This weekend proved that those fears were not unfounded. The fears were confirmed by the failure of these two banks.

This asset class—cryptocurrency—is unwieldy, unstable, unregulated, and we cannot allow it to spread risk across our financial system. Frankly, it has already gone too far, and now we need to be honest about crypto. It is a dangerous, risky investment that needs more transparency, more accountability, and strict regulation.

The burden is on Congress to act.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 850 and S. 851 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DURBIN. I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

BIDEN ADMINISTRATION

Mr. THUNE. Mr. President, when it comes to the actions of government, it is often legislation that grabs the headlines, but it is equally important to be aware of what a Presidential administration does with his regulatory power. With the modern expansion of the regulatory state, Presidents have a tremendous amount of power to affect our economy and Federal policy through regulation, and President Biden has made aggressive use of regulatory power to push his agenda and to burden our economy in the process.

President Biden's big spending habits are well-known: the $1.9 trillion American Rescue Plan spending spree that he signed into law; the trillions of dollars in new government spending he has proposed and pushed for over the course of his administration. But his carelessness with taxpayer dollars is not limited to legislative initiatives. President Biden has also pushed through regulations costing almost $360 billion and requiring 220 million hours of paperwork—220 million hours of paperwork. Now, that is a big compliance burden and a good reminder of the fact that regulations have consequences—consequences for individual Americans, consequences for American businesses, and consequences for our economy.

Take the Biden administration's proposed rule to require Federal contractors to disclose their direct and indirect greenhouse gas emissions and, in some cases, not only their own direct and indirect emissions but also related emissions over which the contractor has no control. This rule is not only impractical, it is unclear how contractors would even begin to gauge emissions over which they have no control, but it is likely to be both costly and burdensome.

By the government's own reckoning, the rule would cost affected small businesses more than $600 million over the first 10 years, and the National Federation of Independent Business notes that the actual cost is likely to be much higher. With compliance costs like these, why would any small business want to apply for a Federal contract?

This is just one of a number of costly regulations the Biden administration has put in place or is attempting to put in place to advance its extreme environmental agenda.

A new rule from the Environmental Protection Agency that will require a drastic reduction in nitrogen oxide emissions from heavy-duty vehicles is not only likely to substantially raise the price of new trucks, it could drive some smaller trucking companies out of business entirely, which would be problematic at any time but especially problematic given the supply chain problems we are still experiencing.

A proposed rule to prohibit the sale of cooktops that consume more than a

certain amount of energy per year would likely make roughly half of the gas stoves currently sold in the United States illegal and could threaten manufacturers with substantial losses, to say nothing of the way it could limit options for Americans, a substantial number of whom opt for gas stoves.

Then there is the Obama-era waters of the United States rule that President Biden's Environmental Protection Agency has resurrected. The WOTUS rule would give the Federal Government sweeping jurisdiction over most water features on private property, including things like irrigation ditches, ephemeral streams, and even prairie potholes.

The Supreme Court is currently considering a case concerning the Federal Government's authority over the Clean Water Act, the outcome of which stands to nullify or make obsolete much of the Biden WOTUS rule.

But if the WOTUS rule goes into effect, farmers, ranchers, and other private landowners could see parts of their land rendered useless for months while the Federal Government determines what restrictions to impose. Landowners could also be faced with huge compliance costs, and the value of their land could plummet. There are also the Biden administration's oil and gas regulations, which are likely to cost all Americans money by driving up energy prices.

Despite the need to develop American energy—an economic and, I would add, national security imperative—this week, President Biden announced that he is closing off a substantial part of the Arctic to oil and gas development. While I am pleased that he did approve the Willow Project this week, he has undercut that approval with these new restrictions.

The President's decision to close off a substantial part of the Arctic will not only restrict areas for energy exploration and development, it is likely to discourage future energy exploration and development even in unrestricted areas, with a correspondingly harmful effect on energy prices.

As if that weren't enough, yesterday, the EPA piled on with another rule that targets electricity production and industry in 23 States and threatens to shut down essential power sources that help guarantee a reliable supply of electricity to American homes and businesses.

The high energy prices Americans have experienced so far under the Biden administration—up to a staggering 37 percent under his watch—could become a permanent feature of American life if the President continues with policies designed to discourage conventional energy production.

So far, I have focused a lot on the economic costs of regulations and the Biden administration's environmental agenda, but of course his environmental agenda is not the only extreme agenda President Biden is pushing through regulations. For example, he is also using the regulatory power to push his extreme abortion agenda.

The comment period recently closed for a proposed new regulation that could threaten medical professionals' right to decline to participate in abortions. And in defiance of Federal law which prohibits the VA from providing abortion services, the Biden administration has implemented a rule to use taxpayer dollars to provide abortion counseling and abortion services to individuals served by the VA.

While Presidential administrations have tremendous power to push their agendas—and burden our economy—through regulation, there are things Congress can do to push back against troubling exercises of regulatory power. One way is through the Congressional Review Act, which allows Congress to block regulations if it can gather a sufficient number of votes.

Republicans have put forward a number of Congressional Review Act measures—or what we call CRAs—to block some of the Biden administration's most problematic regulations. Republicans in the House of Representatives—joined by a handful of Democrats recently—approved a CRA to block the waters of the United States rule, and we will soon take up this measure here in the Senate. I also expect us to take up a measure in the near future to prevent taxpayer dollars from going to fund abortions at the VA.

Thanks to Senator CAPITO, we have already managed to block one problematic Biden regulation so far this year. Senator CAPITO announced her intention to challenge a Federal Highway Administration memo, which the Government Accountability Office determined to be a rule, discouraging States from pursuing highway expansion projects and prioritizing funding for projects that reduce emissions. Rather than waiting for a congressional vote, the Federal Highway Administration withdrew the memo, issuing a revised version without the problematic language—a win for infrastructure investments in rural areas of our country.

We are likely to have an uphill battle in Congress when it comes to blocking other problematic Biden administration regulations, but Republicans in both Houses are committed to doing everything we can to protect Americans.

(The remarks of Mr. THUNE pertaining to the introduction of S. 839 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. THUNE. I yield the floor.

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

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. YOUNG. Mr. President, the Founders of our country understood the dangers of concentrating military power in the hands of a single individual.

They had seen how dangerous this can be, thanks to their experience with King George III. In fact, the specific charges against the King in our Declaration of Independence, as so many know, lay out ''a long train of abuses'' by the military.

When it came time to draft the Constitution of the United States, the Framers had to strike a balance between giving the President the flexibility to respond to attacks and imminent threats and safeguarding against military adventurism, so they gave Congress—they gave this body—the power to declare war.

The practices of our early Presidents recognized the distinction between defensive military action—over which the President has control—under Article II of the Constitution and offensive operations, which must be approved by Congress in advance.

Fast forward to today; this process has broken down. And for the last three decades, this body has often neglected what is arguably its most important responsibility.

I think many Americans will be surprised to learn that these authorizations for use of military force—or AUMFs—especially the 1991 Gulf war resolution, are still on the books.

Today, these are, in the words of my friend TIM KAINE, who joins me on the floor today, ''zombie resolutions.'' They have fulfilled their purpose, and now they should be removed from our law.

Importantly, the repeal of the 1991 and 2002 resolutions would affect no current military operations. So the issue for us to consider is both what these AUMFs actually do authorize and what they could be used to authorize in the future.

It has been well over a decade since any administration has cited the 2002 AUMF to authorize any military action; however, leaving these authorities on the books creates an opportunity for abuse by the executive branch and bypasses Congress on the most important issue we consider as a body, which is how and when to send our men and women in uniform into harm's way.

On the topic of Iran as it relates to this effort, I share the views of so many of my colleagues on the need to counter Iran. I really do. But reimagining a more than 20-year-old authorization that was passed to combat a totally different enemy is not the way to do it.

Practically, repeal of the 1991 and 2002 AUMFs is very important because of the message that we send to our partner Iraq and to our other partners in the region and beyond.

Let us be clear. Saddam Hussein is dead, and we are no longer worried about the threat posed by Iraq, as stated in this AUMF, which we propose repealing.

Iraq has faced pressure from Iran for the past 20 years. The presence of the 1991 and 2002 AUMFs has not changed that. Going forward, as Iraq continues to face Iranian coercion and violence,

we must increase our resolve to stand with them as partners, not as our enemy, and repealing these authorizations would help us do just that.

This legislation is the rare issue that brings together supporters of all political persuasions. It doesn't fall on party lines. It certainly doesn't fall on ideological or philosophical or geographical lines.

In addition to bipartisan congressional support from across the political spectrum, this important effort has earned the support of a number of outside groups. Just a few of them are the American Legion, Concerned Veterans for America, Heritage Action, and FreedomWorks.

Later this morning, we will vote on cloture on the motion to proceed to this important bill. We don't need to debate extensively whether or not we even proceed to consideration; therefore, I urge a ''yes'' vote as we work together to reclaim these important authorities and arrest the trend of giving away our war powers to an unchecked Executive.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I ask unanimous consent that I and then Senator MENENDEZ be permitted to complete our remarks prior to the opening of the first vote.

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

Mr. KAINE. Mr. President, to my colleague from Indiana, I am so glad to be on the floor with you as we approach a most historic vote, a vote that has not been conducted in the Senate since 1971, a vote to repeal a war authorization.

We will start the first procedural steps to formerly end the Iraq war. Right now, we still have not one but two active war authorizations against the Government of Iraq that is no longer an enemy, but, in the Biblical phrase, we have beaten the sword into a plowshare. Iraq is now a strategic partner of the United States.

The bill that Senator YOUNG and I have worked on in close coordination with other colleagues would repeal both authorizations. It is a clean and simple bill, barely a page long. It has attracted bipartisan support, as my colleague mentioned, not only in the Senate and House but from stakeholder groups who care about Americans' military national security and the health and fate of our troops and veterans and their families. It is a very, very broad ideological spectrum of America that support this bill. It is a rare coalition, and it speaks to how painfully evident it is that the repeal of these authorizations is long, long overdue.

This Sunday, March 19, marks the 20th anniversary of the U.S. invasion of Iraq in March of 2002. That war ended 12 years ago. The Persian Gulf war of 1991, Operation Desert Storm, ended 30 years ago.

I want to thank my friend from New Jersey, the chair of the Senate Foreign Relations Committee, Senator MENENDEZ, for his longstanding support for this repeal effort. I want to thank my colleague from Indiana for partnering with me for years and his indefatigable effort to move us to this day. I also want to acknowledge the ranking member of the Foreign Relations Committee, Senator RISCH, who does not support my bill, who voted against it in committee, but who has worked in a cooperative way on the committee both in the 117th Congress and in the 118th Congress to make sure that this bill would be heard, that there would be a robust process for amendments in committee, and now that it can be heard on the floor.

The discussion over Congress's role in determining how and when the United States utilizes its military power—having that discussion—is so important, maybe even more important than ultimately how people vote on this bill, because, too often, the article I branch has deferred on matters of war, peace, and diplomacy to the article II branch, to the executive, even though these powers are some of the most specific and somber powers granted to Congress in article I of the Constitution. Congress must exercise our article I authority over war, peace, and diplomacy, and that is what this bill and this debate is about.

I think we need to repeal the Iraq war authorizations, first to recognize reality: An enemy that we were trying to push out of Kuwait in 1991, an enemy whose government we voted to topple in 2002, that enemy no longer exists. Iraq, today, is an American security partner of incredible importance. Defense Secretary Austin just visited Iraq last week, had productive meetings with the new Prime Minister, Prime Minister al-Sudani.

Those meetings included Iraq's request that we stay—we have about 2,500 troops in Iraq right now—and work with them to counter ISIS and other nonstate terrorist threats that threaten not only Iraq but other nations in the region. Iraq is asking us to stay so we can help them check Iranian aggression in the region.

Secretary Austin talked about the value of this strategic partnership with Iraq. Iraq is no longer a force for chaos. Iraq is now a force for regional stability, and the United States is their partner of choice. Why would we want two war authorizations against a nation that has become a partner of choice?

Our servicemembers had the courage to put their lives on the line, and everyone in this Chamber knows families, knows servicemembers who served in Iraq, who were injured in Iraq. Many of us know families of those who were killed in Iraq. They had the courage to do their job. How dare we, as Congress, not have the courage to simply say, after 20 years: This war is over; the job is done.

This is partly a way of thanking those who have borne the battle here at home. We owe it to our servicemembers to fulfill our constitutional obligations and vote to end endless wars.

Repeal also sends a powerful message to adversaries of the United States today. Repeal says: You may be an adversary of the United States today—and we know we have challenges around the world today with Russia or China or Iran or North Korea. But the repeal of this authorization sends the message: You may be our adversary today, just as Iraq once was, but the United States specializes, throughout our history, in turning adversaries into partners, allies, and friends.

Look at the U.S.-Germany relationship. We fought two wars against Germany in the 20th century. The relationship now is so powerful, and that powerful relationship is helping as we try to protect Ukraine from an illegal invasion by Russia.

Look at Japan. We fought a war against Japan, a devastating war. We were attacked by Japan in 1941. Yet, now, Japan is one of our closest allies in the world.

Look at Vietnam. When Vietnam invites the USS *John McCain* to make a port call in Vietnam to celebrate the relationship that has been built between our two nations—a relationship that still has some challenges but a relationship that few could have predicted during the Vietnam war—we send a message to the entire world that the United States will turn a sword into a plowshare, will beat a spear into a pruning hook; that we will embrace diplomacy. And that is a message that the U.S. adversaries of today should draw from an action to repeal this war.

The Biden administration has reissued a statement of administration policy on this particular bill, stating that they fully support it. Let me just read briefly from it:

> The Administration notes that the United States conducts no ongoing military activities that rely primarily on the 2002 AUMF, and no ongoing military activities that rely on the 1991 AUMF, as a domestic legal basis. Repeal of these authorizations would have no impact on current U.S. military operations and would support this Administration's commitment to a strong and comprehensive relationship with our Iraqi partners. That partnership, which includes cooperation with the Iraqi Security Forces, continues at the invitation of the Government of Iraq [to] . . . advise, assist, and enable [them].

The Great Seal of the United States, which you can see here on the wallpaper around this Chamber, was created early in our Nation's history, and it shows an eagle holding 13 arrows in one talon—those 13 to represent the first 13 American States—and an olive branch in the other talon. The design was chosen very intentionally. The arrows signify the U.S. military capacity, might, and will. The olive branch signifies the American desire to be a peacemaking, diplomatic nation.

On the Seal of the United States, the eagle is facing toward the olive

branch—facing toward the olive branch—because we want everyone to know how we define ourselves as a nation—that, yes, we will have the military capacity to defeat enemies if we must, but, as a nation, our preference, permanently and always, is to seek peace and diplomatic solutions with all the nations of the world.

After 20 years, it is time to repeal the Iraq war authorizations. I urge my colleagues to vote yes on this procedural vote today. It will begin a robust and fulsome debate that will go into next week. Senator YOUNG and I and our colleagues are committed that that debate shall include opportunities for Members to offer amendments. That is being worked on by Democratic and Republican leadership.

We haven't had a discussion of this kind for nearly six decades. It is good that we are going to give it the time and attention it deserves, and I urge my colleagues to vote yes on the cloture motion later this morning.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. Mr. President, as Senators, our gravest responsibility is deciding when to authorize the use of military force because that is a decision about life and death. It is a decision about sending our sons and daughters into harm's way.

More than 20 years ago, we voted on whether to authorize the use of military force against Iraq. Decades later, we have a chance to formally end that war and claw back an outdated authority.

When authorizations for military force have outlived the purpose that Congress intended, we should repeal them. We should repeal them to ensure that Congress determines when to send Americans into harm's way, so that our laws reflect current threats and protect U.S. interests, and to guard against future executive abuse.

Now, it has taken a long time to get here. I want to commend Senators KAINE and YOUNG, two esteemed members of the Senate Foreign Relations Committee who have been pursuing repeal of the 1991 and 2002 AUMFs against Iraq for years, and I applaud their relentless focus on this issue.

As we mark the 20th anniversary of the invasion of Iraq, we cannot ignore its heavy toll. It destabilized the Middle East. It empowered Iran. It turned al-Qaida into a regional franchise. By some estimates, it killed more than a half million Iraqis. It was a war our partners in the region did not support, and it damaged American leadership on the global stage. But, most gravely, it cost our Nation nearly 5,000 lives—Americans who fought bravely and served their Nation and didn't ask the question whether it is right or wrong but just answered the call.

Now, I am proud to have voted against going to war with Iraq in 2002 when I served in the House. I believe history has proven that that was the right call. But that is not the question before us today. The Iraq of 2023 is far different than the Iraq of 2003. Today, Iraq is a critical strategic partner. We fight ISIS together. We protect American personnel and American assets together. This relationship also goes far beyond security. We are partnering on health, education, on climate change. We are working to stabilize global energy markets together.

Repealing these outdated authorizations would cement this important relationship with serious bilateral diplomacy. It would help Iraq chart a course for the future that is independent and more closely integrated with its Arab neighbors. It also removes a major Iranian talking point, however false, that the United States is a colonial power in Iraq.

Now, there are real threats in this part of the world. We must be clear-eyed about those, but the answer to those threats is not the 1991 or 2002 AUMF.

Now, I know, when we get to amendments, my colleagues will offer amendments to this bill. They will try to delay repeal. They will argue that we need these authorizations to respond to Iranian-led and Iranian-backed attacks. They may even offer amendments to expand these authorizations and give the President even broader authority. But I urge my colleagues to remember this: The President is clear in his view that he has the authority, under the 2001 AUMF and the Constitution, for defensive military operations against ISIS or Iranian threats against U.S. personnel and interests. In fact, the President has responded to Iranian-led and Iranian-backed attacks repeatedly and has done so without—without—relying on the 2002 AUMF.

Now, take it from me, as someone who has worked for decades to confront the challenge of Iran, I know well the threat that Iran poses to us and to our allies in the region. We cannot be naive about their intentions, and we need to have the political will to respond how and when we deem necessary. But repeal will have no impact on our ability to defend U.S. interests against Iran—none whatsoever.

After 20 years, this is a defining moment. Congress needs to repeal these authorizations for the use of military force to reassert our constitutional role on war powers.

We should not just declare war; we need to be able to end them as well. And let's be clear: This is not some theoretical debate. This is about the lives of our servicemen and -women who may be called upon to fight and make the ultimate sacrifice.

In our democracy, those decisions must be made by Congress. So I am proud that we are stepping up to have the difficult debates that we should have. And I look forward to passing this bill with a strong bipartisan vote, as it passed out of the Senate Foreign Relations Committee, which has jurisdiction over the authorizations for use of military force. That bipartisan vote there, I think, will be reflected in a bipartisan vote in the House.

I urge my colleagues to vote to repeal these authorizations, and, in the first instance, to start by doing so by voting to have cloture.

I yield the floor.

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 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. 27, Jessica G. L. Clarke, of New York, to be United States District Judge for the Southern District of New York.

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 Jessica G. L. Clarke, of New York, to be United States District Judge for the Southern District of New York, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CRUZ), the Senator from North Dakota (Mr. HOEVEN), and the Senator from Kentucky (Mr. MCCONNELL).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted ''nay.''

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

The yeas and nays resulted—yeas 49, nays 45, as follows:

[Rollcall Vote No. 60 Ex.]

YEAS—49

Baldwin	Cantwell	Cortez Masto
Bennet	Cardin	Duckworth
Blumenthal	Carper	Durbin
Booker	Casey	Gillibrand
Brown	Coons	Hassan

Heinrich	Murphy	Smith
Hickenlooper	Murray	Stabenow
Hirono	Ossoff	Tester
Kaine	Padilla	Van Hollen
Kelly	Peters	Warner
King	Reed	Warnock
Klobuchar	Rosen	Warren
Luján	Sanders	Welch
Manchin	Schatz	Whitehouse
Markey	Schumer	Wyden
Menendez	Shaheen	
Merkley	Sinema	

NAYS—45

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

NOT VOTING—6

Barrasso	Feinstein	Hoeven
Cruz	Fetterman	McConnell

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 45.

The motion is agreed to.

The majority leader.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. SCHUMER. Mr. President, almost 20 years to the day since the start of the Iraq war, the U.S. Senate is beginning the bipartisan process of repealing the Iraq AUMF of 2002.

Repealing this AUMF is a necessary step toward putting the final remnants of the Iraq war squarely behind us.

Every year we leave this AUMF on the books is another year a future administration can abuse it. Congress, the rightful dispenser of war powers, cannot allow this to continue.

Repealing the AUMF and the AUMF of 1991, as well, will not hinder our national defense, nor will it hurt the efforts of our troops deployed overseas.

Americans are tired of endless wars in the Middle East. I hope this year, on the 20th anniversary of the start of the Iraq war, both parties in both Chambers will speak with one voice.

And I want to certainly thank Senators KAINE and YOUNG, as well as our chair and ranking member of the Foreign Relations Committee, who have done such a good job on this issue, bringing it to where we are today.

I yield the floor.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

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 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 motion to proceed to Calendar No. 25, S. 316, a bill to repeal the authorizations for use of military force against Iraq.

Charles E. Schumer, Tim Kaine, Robert Menendez, Amy Klobuchar, Ron Wyden, Christopher Murphy, Benjamin L. Cardin, Jack Reed, Mazie K. Hirono, Jeanne Shaheen, Christopher A. Coons, Richard J. Durbin, Cory A. Booker, Mark R. Warner, Jeff Merkley, Richard Blumenthal, Margaret Wood Hassan.

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 motion to proceed to S. 316, a bill to repeal the authorizations for use of military force against Iraq, 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. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Pennsylvania (Mr. FETTERMAN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Texas (Mr. CRUZ), and the Senator from Kentucky (Mr. MCCONNELL).

The yeas and nays resulted—yeas 68, nays 27, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—68

Baldwin	Heinrich	Paul
Bennet	Hickenlooper	Peters
Blumenthal	Hirono	Reed
Booker	Hoeven	Rosen
Braun	Johnson	Sanders
Brown	Kaine	Schatz
Budd	Kelly	Schmitt
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Lee	Sinema
Casey	Luján	Smith
Cassidy	Lummis	Stabenow
Collins	Manchin	Tester
Coons	Markey	Van Hollen
Cortez Masto	Marshall	Vance
Cramer	Menendez	Warner
Daines	Merkley	Warnock
Duckworth	Moran	Warren
Durbin	Murkowski	Welch
Gillibrand	Murphy	Whitehouse
Grassley	Murray	Wyden
Hassan	Ossoff	Young
Hawley	Padilla	

NAYS—27

Blackburn	Graham	Rounds
Boozman	Hagerty	Rubio
Britt	Hyde-Smith	Scott (FL)
Capito	Kennedy	Scott (SC)
Cornyn	Lankford	Sullivan
Cotton	Mullin	Thune
Crapo	Ricketts	Tillis
Ernst	Risch	Tuberville
Fischer	Romney	Wicker

NOT VOTING—5

Barrasso	Feinstein	McConnell
Cruz	Fetterman	

(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 68, the nays are 27.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

REPEALING THE AUTHORIZATIONS FOR USE OF MILITARY FORCE AGAINST IRAQ—Motion to Proceed

The PRESIDING OFFICER. The clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 25, S. 316, a bill to repeal the authorizations for use of military force against Iraq.

EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The PRESIDING OFFICER. The Senator from Oregon.

FALLON SMART RULE

Mr. WYDEN. Mr. President, I rise today to highlight a new rule by the State Department that honors a 15-year-old Portland girl whose life was cut short by a hit-and-run driver in 2016. The girl's name is Fallon Smart, and the man accused of manslaughter in her hit-and-run death was a Saudi national.

Subsequent reporting by my hometown paper, The Oregonian, uncovered that the Saudi national likely fled the country with the assistance of the Saudi Government. The paper's reporting later revealed that this Saudi affront to American justice was not—repeat, was not—an isolated example when its nationals face criminal charges in our country.

Our paper found 17 cases in the United States and Canada of Saudi nationals who fled justice while facing criminal charges. These cases—some go back decades—are not for parking tickets. The charges against these Saudi men include rape, manslaughter, and felony hit-and-run.

In Oregon alone, journalists identified seven cases of Saudi nationals absconding justice. Their crimes included first-degree manslaughter, unlawful firearm possession, intoxicated driving, third-degree felony assault, and multiple sex crimes including sexual abuse, first-degree rape, and numerous counts of first-degree encouraging child sex abuse.

In Montana, two Saudi nationals fled after accusations of sexual assault.

In Ohio, two Saudi nationals fled after being accused of third-degree involuntary manslaughter and beating people with weapons at a college bar.

In Oklahoma, a Saudi national fled after being convicted of first-degree rape.

In Pennsylvania, a Saudi national fled after being accused of attempted rape.

In Utah, a Saudi national fled after being convicted of rape.

In Washington State, three Saudi nationals fled after respective accusations of rape, sexual assault of a child, and beating and stabbing a classmate.

In Wisconsin, a Saudi national fled after being accused of two counts of sexual assault.

In most of these cases, local law enforcement confiscated the passports of the accused criminals and set bail at thresholds the individuals were unlikely to be able to pay themselves. Yet we now know that many of these individuals somehow made bail and quickly received the resources and travel documents necessary to board a plane and leave, only to resurface in Saudi Arabia.

How did they leave the country without a passport?

Based on this evidence, it appears that the Saudi Government was assisting their citizens in evading prosecution in the United States.

I repeatedly pressed Customs and Border Protection, the U.S. Marshals Service, the Federal Bureau of Investigation, and the State Department to explain what they knew about this pattern of cases. Despite all my efforts to get some answers, the Trump administration failed to even acknowledge the disturbing pattern or explain what, if anything, was being done to stop it.

That is why, in 2019, I authored and got passed a law to declassify an FBI report on this issue. The FBI report contended that the Saudis were assisting fugitives, and they would not stop whisking away criminals until ''the U.S. Government directly addresses this issue with the Kingdom of Saudi Arabia and ties U.S. cooperation on KSA priorities to ceasing this activity.''

So, in a sentence, you have foreign nationals in our country facing the most serious criminal charges and our supposed Saudi ally helping its citizens flee the American justice system. That is a disgrace, and, in my view, it demanded action.

Once President Biden was sworn in, his administration assured me that American diplomats in Riyadh had raised this issue with Saudi officials at the highest level, but that was just the start. The State Department further pledged to me that it is acting to put in place a new policy named for Fallon Smart that would revoke visas ''in cases where a foreign official has provided concerning forms of assistance to foreign nationals in evading prosecution in the United States by absconding from the United States.''

This Fallon Smart rule came after I put a hold on Michael Ratney's nomination to serve as U.S. Ambassador to Saudi Arabia. I did it to raise the profile of this issue and get commitments from the State Department. I lifted my hold on that nomination, and Mr. Ratney has been confirmed. I want to thank Secretary Blinken for agreeing to take concrete actions that are going to deter other foreign officials from assisting fugitives on American soil.

I plan to watchdog the State Department's implementation of the new policy to ensure there is real accountability for foreign officials who prevented justice from being carried out in the manslaughter of Fallon Smart and other horrendous crimes across the country.

There is no way to bring Fallon Smart back to her family and no punishment to heal the family's grief and loss, but today is a good day on the march to justice for Fallon Smart and so many others. The Fallon Smart rule sends a strong message that there is no place in our country for foreign officials who help criminal suspects evade the law, and I am going to continue to bird-dog this, closely watching the administration to make sure it enforces the Fallon Smart rule whenever there is evidence that foreign diplomats are undermining the American justice system.

I promised never to be silent whenever Saudi Arabia tries to cleanse its blood-stained hands in the fight for U.S. justice in the hit-and-run death of Fallon Smart. Her death at the hands of a Saudi national on Hawthorne Boulevard in Southeast Portland—near our home—must never be forgotten, and I can tell you the work to hold the Saudi officials accountable in this case will not ever be forgotten.

Unfortunately, despite all the progress in achieving the Fallon Smart rule, some Federal bureaucrats in this administration continue to defer to the interests of dictators in the Middle East. That callous attitude by Federal immigration officials has had devastating impact at home in Oregon for two people who have done everything right to contribute to their adopted communities.

The names of these two standout Oregonians are Matar Matar and his wife Dr. Amal Alyusuf, and the saga of this couple's unconscionable wait for asylum has also been detailed by in-depth reporting in The Oregonian newspaper.

The couple's appeal for asylum began more than a decade ago. Matar was the youngest member of Bahrain's Parliament and had been jailed and tortured for weeks on end by Saudi-led security forces. The couple fled with their children to the United States for refuge and applied in good faith for asylum. More than 10 years later, their case somehow remains ''pending'' in America.

Our country, of course, has always taken great pride in providing refuge for people fleeing the worst abuses in their native countries. It is a path to freedom that the Wyden family knows more than a little about. My parents fled the Nazis in the thirties for safety in America. I am the proud first-generation son of those refugees, both of whom worked every day to contribute to our country.

As has been well documented in The Oregonian, this Bahraini couple is doing the same thing in Oregon as my parents and uncounted millions of immigrants have done for centuries here; namely, this couple is making every available effort, while raising their three children, to make their new communities even better places to live and work. Matar works for the Willamette Dental Group in Portland, and Dr. Alyusuf provides essential healthcare in rural Oregon, practicing as a physician in Douglas County.

Yet my office has run into a bureaucratic morass again and again from unresponsive immigration officials closing their eyes and ears to all the evidence of how this exemplary Oregon family is owed better. So just as I pledged to seek justice for Fallon Smart and to make sure this administration follows the Fallon Smart rule, I am, today, putting this administration on notice that I will be just as dogged in pursuing a just solution for this Bahraini family.

Simply put, this family should not have to endure this brutal limbo of more than 10 years waiting to know that it can continue contributing to a better Oregon, free of fear from deportation at a moment's notice. And I intend to be relentless in helping this family, as we did with Fallon Smart, achieve the security and justice that they so deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

SEMICONDUCTORS

Mr. CORNYN. Mr. President, over the past few decades, the United States has experienced a steady drop in domestic semiconductor manufacturing. Now, I guess we all might be forgiven for not being experts in what advanced microcircuits are all about, but the truth is these microcircuits, or semiconductors, are part of our everyday lives in ways that perhaps we don't fully appreciate. Everything from your smartphone to the most advanced weapons that we are providing to Ukraine to defeat Russian aggression, to the Joint Strike Fighter, the F–35—all of these require a large number of these mini-circuit processors, or semiconductors.

Well, over these last few decades, we have gone from producing 37 percent of the world's chips in 1990 to just 12 percent today. In other words, we are more dependent than ever on supply chains of semiconductors in order to keep our economy going and to defend ourselves from a national security perspective.

This, obviously, is a concerning trend, and one of the things we have learned about during COVID is this idea of globalization, that just because somebody can make something cheaper—in China, let's say—than in the United States, that that answered all the questions, that that checked all the boxes.

Well, you might say the same thing about Europe's dependency on Russian oil and gas when, once Mr. Putin decided to invade Ukraine, they realized they were the captive of the Russian Federation when it came to their basic energy needs. Well, the same thing is happening in other places, including semiconductors.

Thirty years ago, China manufactured none of the world's chips, but today it commands nearly a quarter of the global market. And just off the

coast of mainland China, you will find a global powerhouse when it comes to chip making: Taiwan. Taiwan manufactures 92 percent of the most advanced semiconductors in the world, and given China's aggressive threats against Taiwan, that is a blinking red light.

But just like the Europeans found that it is going to take a while for them to diversify their energy sources from Russia, it is going to take a while for us to get diversity in sources so that we don't only rely on imported chips from the Far East. For a long time, this has been recognized as a problem and, of course, people said: Well, something needs to be done. But that ''something'' wasn't at the top of everyone's priority list.

But then, of course, the pandemic hit, as I said, and we found ourselves dependent on everything from masks, or personal protective equipment, which was all made in China, and we couldn't get it when we needed it when the pandemic hit. And now we have become more aware of our vulnerabilities when it comes to these supply chains.

My constituents in Texas and, I am sure, those in Michigan and New Jersey and elsewhere were shocked to see empty car lots, for example, because of backorders of semiconductors. Because of the disrupted supply chain, they couldn't even make cars, which are, of course, more and more dependent upon these microelectronics. Suddenly, consumers who have never needed to know what a semiconductor was found themselves impacted by this global shortage.

So, in many ways, this was a wake-up call that we didn't even know we needed, and it is not the last. If you start looking around at other things like rare Earth elements, things like the active ingredients in pharmaceuticals, we are dependent on China to produce those, and that is another vulnerability we need to address.

But if China were to act on its threats to invade Taiwan and block the world's access to these advanced semiconductors, empty car lots would be the least of our worries.

Without chips, we wouldn't be able to maintain the energy grid or communications systems. We can't build rocket interceptors, or, as I said, F–35s for our military. And our national security missions would take a hit, both on the ground and in cyber space. So, clearly, the time had come to make advanced chip manufacturing in America a top priority.

In June of 2020, Senator WARNER—the senior Senator from Virginia—and I introduced the CHIPS for America Act to incentivize chipmakers to build or expand their operations here in America. Given the significance of this effort to our national security, the Senate adopted this bill as an amendment to the National Defense Authorization Act with overwhelming bipartisan support—a vote of 96 to 4. Six months after it was introduced, the CHIPS for America Act became law. And a year and a half later, it was fully funded by the bipartisan CHIPS and Science Act.

So it took a little over 2 years from the time Senator WARNER and I introduced the legislation until it was finally authorized. And it is going to take another couple of years before the funding that we provided is granted by the Commerce Department to incentivize that manufacturing here.

But as in so many other areas—permitting snafus, bureaucratic delays—it is going to be a while before we can totally relieve our dependence on imported semiconductor supply chains. This ought to be a wakeup call, as I said, again, to our other dependencies, one that had been nurtured by the People's Republic of China and where they have actively undermined development of diverse alternatives in other parts of the world, from friendly countries and from the United States itself.

Well, 2 years is a long time from a bill being filed until it becomes law. But that is actually not an unusual pace. It takes a while for this body to act. And we are not known for our speed. So the fact that we were able to stand up the CHIPS Program and fully fund it officially shows how critical this investment is and how a bipartisan consensus believed that time was not on our side, and we needed to act without delay.

Well, despite bipartisan support for the CHIPS Program, it has not been immune from criticism. Some have criticized it as industrial policy, even comparing it to the Chinese Communist Party's intervention in the China economy. But there is a big difference between propping up favored industries in order to protect your domestic industries, as China does. There is a big difference between that and safeguarding an essential supply chain that is vital to our economy and our national security.

One of Congress's most fundamental responsibilities is to provide for the common defense. Traditionally, it involves timely Defense bills and appropriations, but we no longer live in a world where those tasks alone can cut it.

Authorizing the manufacture and purchase of new F–35s, the most advanced stealth Joint Strike Fighter in America's Air Force—authorizing that or appropriating the money for that is meaningless if we don't have the electronics we need in order to manufacture them, including semiconductors. Supporting the development of artificial intelligence or quantum computing or 5G is useless if we can't get access to the technology we need.

So we no longer have the luxury of endless supplies of chips. And we have to adjust accordingly. And the CHIPS Program is just one way that we have done that.

From the beginning of this process, I have had the pleasure of working closely with Commerce Secretary Gina Raimondo to ensure Congress and the administration are on the same page. And by and large, we are. I congratulate Secretary Raimondo for the great work she and her team at the Commerce Department have done. And they have been good partners in the actual passage of the CHIPS and Science Act.

But I am concerned—and I have communicated that to her—about some of the components of the application guidance the Commerce Department released last month. The Department outlined the application process from eligibility to timelines. It provided details about the types of incentives available and the way they could be used. And it laid out extensive information applicants must provide; for example, a detailed financial model for proposed projects and clear execution plans.

So far so good. The Department needs to understand the viability and lasting impact of each of these projects before awarding these financial incentives—again, to bringing that manufacturing back to America's shores. That is how we ensure each project will benefit our national security, which was the main purpose of the legislation.

But Commerce laid out additional requirements that have nothing to do with that goal or congressional intent. One example is the childcare mandate. So who could be against a childcare mandate? Well, my fear is that this is just the beginning of unauthorized additional requirements that the Biden administration is going to impose for people to be able to compete for the grant funding.

The Department of Commerce said it requires applicants who request funding over specific amounts to provide a plan for access to childcare. These requirements were not in the statute. That wasn't even part of our congressional debate.

And as a practical matter, I am pretty confident that these sophisticated companies are going to provide a generous package of incentives to their future workforce, including, probably, childcare.

But even the New York Times, when they saw these extra requirements, described these strings as ''ambitious and unusual.'' If a company wants to offer childcare to its employees, if it needs to do so in order to compete for the kind of workforce that it wants, that is great, and many semiconductor companies already do so.

The market for highly skilled employees is extremely competitive, and companies recognize that they need to offer benefits to attract the best candidates. That is the beauty of the free market.

But if the Commerce Department wants to consider that information when we are reviewing applications, that is fine. But there is a big difference between taking it into consideration and mandating it.

We know that some of the debate here on Capitol Hill about childcare—we have been down this road before—some in this Chamber would like to

outlaw faith-based organizations from providing that childcare or require that if they are going to take the Federal money, that they are going to have to hire a workforce that doesn't believe in the same things they do.

That is how we go from what seems to be a relatively innocuous requirement into big trouble and into the executive branch trying to legislate new requirements that are not part of the underlying legislation.

Recent reporting indicates that companies of all types are preparing to make the play for CHIPS funding. This isn't limited to chips manufacturers. We are talking to every industry under the Sun—so-called ecosystem built around these fabs or manufacturing facilities.

The director of general economics at the Cato Institute explained why companies that don't make chips could be making a play for funding. Well, for one thing, I think it should be obvious that people are attracted to the opportunity of qualifying for these grants for this funding. But the director of general economics at Cato pointed to the Commerce Department's unrelated requirements as a suggestion that the administration isn't prioritizing national security. In other words, this should not be a Trojan horse to pass other policy priorities under the guise of protecting our national security.

And we don't want other, perhaps even more concerning, requirements to be added which were not part of the legislation that Congress passed or part of legislative intent.

Companies that do not manufacture chips now believe they have a shot at funding as long as they meet the other unrelated requirements. I want to be absolutely clear that that cannot be the case. In order for the CHIPS Program to succeed—in order to protect our economy and our national security—this needs to be a merit-based application process, with no additional requirements imposed as a condition to receive these grants that was certainly not part of legislative intent or even the debate here in Congress. It should not be used as a Trojan horse to get other policy priorities actually implemented when Congress had no such intent.

So these decisions to make these grants should not depend on relationships with labor unions or any other unrelated factors. It should be based solely on how each project will strengthen our national security and shore up this vulnerable supply chain.

We can't be in a situation where applicants that provide free childcare are favored over those who will do more to strengthen our national security. Again, that is fine if these companies want to do so. And I dare say many, if not all of them, will anyway. But it is a beginning that is concerning because this is a slippery slope to try to shoehorn other policy priorities into something which will actually distract the Commerce Department and the U.S. Government from doing what needs to be done when it comes to semiconductor manufacturing.

The CHIPS Program received strong bipartisan support and should remain far above the political fray. The ultimate goal is to boost domestic chip manufacturing, and I am glad to say we are beginning to move in the right direction.

Samsung from South Korea, Texas Instruments, and GlobiTech are expanding their footprint in Texas. Taiwanese Semiconductor Manufacturing Company is growing its presence in Arizona; Intel is putting down roots in Ohio; and Micron is expanding in New York. These are just a few of the announcements that have been made so far, and I expect more to come now that the CHIPS Program is up and running.

Texas has already been a leader in the semiconductor industry. And we are cementing that reputation with the addition of new and expanded chip fabs.

Gov. Greg Abbott is pushing to attract even more chip manufacturers to the Lone Star State. He has been working with leaders in the Texas Legislature this session, including Representative Greg Bonnen and Senator Joan Huffman, to help bring new semiconductor businesses to Texas.

The Texas Legislature recently introduced the Texas CHIPS Act, which would support all chip-related activity in the State—from research and development to design and manufacturing.

I appreciate their leadership on this front, and I am eager to see the positive impact of the chips on communities all across our State and, indeed, all across our Nation.

These are just a few of the investments that will support jobs, our economy, and our national security. The CHIPS Program is key to that success, and I hope the administration will avoid attaching controversial and additional requirements that could imperil or impede its success.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I would like to ask consent—I know we have an order to vote at 1:45—to speak for about 5 minutes.

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

(The remarks of Mr. BOOKER pertaining to the introduction of S. 850 and S. 851 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

NOMINATION OF JESSICA G.L. CLARKE

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Jessica G.L. Clarke to the U.S. District Court for the Southern District of New York.

Born in Akron, OH, Ms. Clarke received her B.A. from Northwestern University in 2001 and earned her J.D. from The Ohio State University Moritz College of Law in 2008. She then clerked for Judge Solomon Oliver, Jr., on the U.S. District Court for the Southern District of Ohio from 2008 to 2010.

Ms. Clarke began her legal career in 2010, as a trial attorney at the Justice Department's Civil Rights Division in the Housing and Civil Enforcement Section. During her 6 years investigating and litigating civil rights violations, Ms. Clarke gained significant litigation experience, including successfully trying a ''first-of-its-kind'' housing discrimination case and also securing the largest settlement of its kind in another housing discrimination matter. In 2016, Ms. Clarke went into private practice in New York City for 3 years, focusing on commercial litigation and affirmative civil rights work. Since 2019, she has served as the chief of the Civil Rights Bureau at the New York State Office of the Attorney General, supervising the Bureau's attorneys and staff in enforcing Federal, State, and local civil rights laws in New York.

The American Bar Association has unanimously rated Ms. Clarke ''qualified'' to serve on the Southern District of New York. Senators SCHUMER and GILLIBRAND strongly support her nomination as well.

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

VOTE ON CLARKE NOMINATION

The PRESIDING OFFICER. Under the previous order, the Senate will resume executive session.

The question is, Will the Senate advise and consent to the Clarke nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Kansas (Mr. MORAN), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 48, nays 43, as follows:

[Rollcall Vote No. 62 Ex.]

YEAS—48

Baldwin	Duckworth	Luján
Bennet	Durbin	Manchin
Blumenthal	Gillibrand	Markey
Booker	Hassan	Menendez
Brown	Heinrich	Merkley
Cantwell	Hickenlooper	Murphy
Cardin	Hirono	Murray
Carper	Kaine	Ossoff
Casey	Kelly	Padilla
Coons	King	Peters
Cortez Masto	Klobuchar	Reed

Rosen	Smith	Warnock
Schatz	Stabenow	Warren
Schumer	Tester	Welch
Shaheen	Van Hollen	Whitehouse
Sinema	Warner	Wyden

NAYS—43

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

NOT VOTING—9

Barrasso	Feinstein	Moran
Cramer	Fetterman	Sanders
Cruz	McConnell	Scott (SC)

The nomination was confirmed.

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

The President pro tempore.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak for 15 minutes as in morning business.

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

FOX NEWS

Mrs. MURRAY. Mr. President, there are so many challenges facing us as a nation today, as we all know, but there is one overriding concern that I have. If we want our country to thrive and grow and be strong and be a democracy far into the future so we can solve the problems and challenges we face, then we must protect our democracy.

Democracy. It is the core principle of America, the idea that we are a country where we can debate and can have free speech and where our voices matter. Americans must be able to trust and believe that all of us here, no matter our opinions or our beliefs, have a shared view that our democracy is sacred, that we understand what that means, and that we have a responsibility as leaders to preserve it; a democracy where we make decisions, we use our voices, we debate, we vote, but we never use brute force to get what we want. If we allow brute force to win the day, that would be the end of our democracy.

Look, we agree and we disagree. We use our words to debate policy. We are passionate about what we believe in. But we also understand that not everything is debatable, that there is a reality in our world that we must understand and acknowledge and learn from so we can move forward as a country and make sure we never repeat the mistakes of the past. And I am talking about what happened on January 6, 2021.

On that day, an attempt was made to overthrow an election, to use brute force and violence to change the outcome. We must agree as a country that using brute force to overturn this democracy is something we can never allow. In fact, if we want to solve any of those challenges in front of us, we need to have a strong democracy—period.

That is why I have to speak out today about what is happening with the release of the January 6 tapes and the total misuse by a FOX News personality to distort and change the truth of what happened that day.

As my colleagues know, I was here during the worst of the January 6 insurrection, and when I say ''here,'' I mean here in the Capitol Building. I didn't happen to be on the floor when most Senators were evacuated; instead, I had to lock down in a room feet from here. I heard the crashes as those insurrectionists stormed this building. I heard their explicit calls for violence. I heard them banging on my door, trying to get in, trying to get me so they could do harm. I know firsthand that January 6 was a dark, violent chapter in our Nation's history. So imagine my shock and my anger to hear a prime time FOX News host trying to downplay this horrific event, trying to say this was just people on a sightseeing tour.

I have taken constituents on a tour of the Capitol. I am sure the Presiding Officer has. I think we all know that you don't bring gas masks on a tour. You don't bring pepper spray on a tour. You do not bring bats or knives or tasers. They actually had zip-tie handcuffs in their possession.

Tourists don't leave broken glass in the windows. They don't leave the blood of our Capitol Police officers on the floor. Tourists don't leave with stolen documents and laptops. They don't smear feces on the wall, and they don't put up gallows outside.

For FOX News to let Tucker Carlson try and paper over this by showing a few minutes of footage—which, by the way, to be clear, even that footage is showing people who walked past gates, barricades, blaring alarms, and police lines, in total disregard of the law, to go somewhere it is abundantly clear that they should not. But to show that footage and pretend that it shows the full story, while ignoring the reality of the footage of offices being ransacked, equipment being stolen, windows broken, ignoring the footage of White supremacists parading these halls with Confederate flags and zip-tie handcuffs, ignoring the footage of Capitol Police being swarmed and beaten and battered—officers suffered cracked ribs and severe brain injuries. One officer lost an eye. Other officers took their lives in the aftermath. To try and paper over all of this as a ''sightseeing tour''—there just aren't words that do my anger justice, and the ones that get close are simply not suitable for this Senate floor.

I am glad some Republican Senators have joined Democrats in calling out how dangerous and disingenuous this kind of coverage—or, perhaps more appropriately, coverup—is. But, honestly, there is a lot more that needs to be said about how we got here. New documents from the Dominion lawsuit made clear FOX News knowingly let hosts spread lies about the election and let them inflame the public with baseless conspiracies.

I think my colleagues and reporters who cover me know I am not one to criticize the media lightly. I do not cry foul or bias or fake news at coverage that I don't like. We live in a country with free speech and free press—thank goodness. We have many different points of view, and that all informs a robust debate in our democracy so people can effect change with their voices and their votes, not violence.

But there is a basic premise that debate rests on, a basic responsibility inherent in these important rights: honesty. For our democracy to work, for our great debates to guide it effectively, the people who inform our public—the free press that we so rightly cherish and protect—need honest brokers.

Let me be clear. When I say ''honest,'' I am not saying reporters have to be utterly objective or neutral or impersonal. I am not even saying they have to be 100 percent right all the time. No one is. But they have to tell the truth. They have to at least try to tell the truth. They owe that to the people whom they cover and the viewers who trust them. That shouldn't be too much to ask. Truly, it is the barest of minimums. It is the lowest bar.

Yet, as the Dominion lawsuit is showing, FOX News has been utterly failing to meet it. In fact, they have been actively pushing lies and disinformation in the most cynical way possible.

The depositions and discovery have shown plain as day, FOX News personalities were spreading dangerous lies, promoting shameless liars, and what is more, FOX knew it. We aren't talking about a difference of an opinion or an honest mistake. We are talking about fraud in prime time.

They repeatedly brought on Sidney Powell to spout baseless conspiracies about Dominion voting machines. All the while, Tucker Carlson told his producer that Powell was lying. He told his colleague Laura Ingraham that Powell was lying. Ingraham's producer texted a FOX executive that he had told her the Dominion conspiracy was ''BS.'' Ingraham herself said Powell was a ''complete nut.'' Senior Vice President Shah said Powell was ''clearly full of it.'' Lou Dobbs' producer told him it was ''complete BS,'' only for the show to have Powell on 3 days later.

I mean, the list of people at FOX News who knew President Biden fairly won that election and knew these fraud claims were baseless goes on and on, and, in fact, it goes straight to the top.

Rupert Murdoch, owner of FOX News, called Rudy Giuliani's lies about the election ''really crazy stuff.'' Yet, as he admitted under oath, FOX News hosts

endorsed those conspiracies, and he let it happen, even though he could have done more to step in and stop it.

Instead of putting the Big Lie under scrutiny, FOX put it in prime time. And when reporters with the network tried to be accurate, tried to tell the truth, tried to set straight the lies their own network was spreading, they were reprimanded.

Carlson, who told his colleagues Powell is lying, called for a FOX reporter to be fired for fact-checking a tweet about the Dominion conspiracy. Shah, the senior vice president who said Powell was full of it, labeled an anchor a ''brand threat'' for cutting away from an accurate Trump White House press conference. Another reporter was scolded for fact-checking the Powell-Giuliani press conference, which leaders at FOX acknowledged was rife with dangerous conspiracies.

Let's be clear. This was the No. 1 cable news outlet in America stifling the truth. This is so dangerous, and we cannot—we absolutely cannot—accept this.

Let's not forget the nature of those lies. They weren't just small white lies or debatable points. These were wild, sprawling conspiracies which were repeatedly debunked, including by FOX's own fact checkers and which were actually designed to disrupt the peaceful transition of power, designed to undermine the cornerstone of our democracy, the public's faith in our free and fair elections.

And they did.

On January 6, a violent mob, spurred by the lies that FOX spread, stormed this Capitol. And, now, as I detailed earlier, FOX hosts are lying about that. FOX News is discoloring our past when we should be learning from it—when we should be learning from it.

It is important to consider the scope of those lies as well. This wasn't one anchor saying something dubious and network executives looking the other way. FOX engaged in a top-down, deliberate, and coordinated effort to push out lies to its viewers. We cannot ignore that.

Tucker Carlson can selectively edit as much footage as he wants, but I refuse to let him succeed in rewriting history and lying to the American people about the January 6 insurrection.

America has already seen what Tucker Carlson failed to show: windows being smashed in, officers being pushed and beaten and battered and pepper-sprayed, the floor of the House and Senate overrun by White supremacists in tactical gear, a gallows on the Hill, a mob chanting ''Hang Mike Pence.''

I was here with one locked door between me and the violent mob shouting ''Kill the infidels.'' And when the dust settled, I walked with my colleagues through the halls, littered with broken glass, the offices that had been ransacked, and I stood here with my colleagues to cast a vote insurrectionists had stormed the building to stop. I will never forget that. Who could?

And I will never forget, and I will never let our country forget it, either, despite what FOX News has done and is doing to try and rewrite this chapter of our Nation's history.

This is not how legitimate news organizations behave. How are viewers supposed to trust them? How am I supposed to trust that they will represent my positions fairly?

Now, I will say, there are reporters at FOX who are committed to the basic principles of objective journalism and the truth, and I respect them. And many reporters at local FOX affiliates are doing their best to report the honest truth to viewers in my home State of Washington and around the country. But do you know what? Even if I trust them to try and work in good faith, how do I trust they will not get overruled by the same executives who oversaw this election disinformation operation?

I think it is important to say, and it is also worth noting, that the lies about the election and insurrection may be the most egregious and dangerous examples right now, but there are many other ways the dishonesty at FOX News is poisoning the debate for important conversations and debate.

How are we supposed to debate climate change when half the conversation is fact-free denialism? How are we supposed to discuss public health when deadly vaccine misinformation is given one of the world's biggest megaphones?

Here is the honest truth. Public figures and other media outlets need to grapple with this: Tucker Carlson is determined to make sure FOX News is not news at all.

FOX is a political vehicle for Rupert Murdoch and his rightwing causes. It is a political entity that will gladly push disinformation and lies if it means profits and political gain. Let's just call it what it is.

So until FOX does a complete 180 to fix this, until Tucker Carlson apologizes and issues a comprehensive correction, until Mr. Murdoch and his executives stop with the lies and election conspiracy theories—and, by the way, they will have to give a real reason if they want us to believe them—until that happens, we should not pretend that Murdoch and Carlson are going to allow FOX News to be news at all. I certainly won't. And I don't say this lightly, but I encourage my colleagues to do the same.

The essence of our democracy is at stake, because what I was reminded, on January 6, is that democracy doesn't happen just because we have it. Our democracy is only as strong as our commitment to it. We have to work for it. We have to make sure that it remains with us, and that is why I am on the floor speaking out today, because I will fight for our democracy.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Ohio.

Mr. BROWN. Mr. President, I, first, want to compliment the President pro tempore of the Senate and her leadership here for now 30-plus years and her courage.

She saw January more up close than most of us did. I say to the Senator: I believe you were with your husband in your office and heard those sounds and, I assume, had those fears. I appreciate your courage then and how you have talked about it in specific terms. Your genuineness really matters. So thank you for that.

LOBBYISTS

Mr. President, we spent the past month responding to two crises in the lives of Ohioans: one in East Palestine, a community on the Pennsylvania border, a community that rail traffic runs through almost hourly—daily, certainly—and one to our banking system.

I want to explore both, but what happened in East Palestine, in Ohio, and what happened in the far west coast of our country, in the Silicon Valley in California, have one thing in common: They both follow the Wall Street business model—obsessed with short-term profits at the expense of everything and everyone else. They were aided and abetted by corporate lobbyists and the politicians who do their bidding, weakening rules meant to protect the people we serve.

(Mr. BOOKER assumed the Chair.)

Mr. President, a student of history is sitting in the Presiding Officer's chair, and we both know that for much of the history of this country for the last 150 years, two of the most powerful lobbyists, two of the strongest, most aggressive, most involved companies—the railroads and the banks—have far too often had their way. They have had their way with Congress. They have had their way with regulators. And always—always—workers in New Jersey and workers in Ohio pay the price.

These two industries—railroads and banks—aided and abetted by corporate lobbyists who do their bidding, always, as I said, weaken rules meant to protect the people, the voters whom we were elected to serve, and now working people in Ohio and around the country pay the price.

The Nation now knows East Palestine, a tight-knit community in Columbiana County, OH, about 5,000 people, in a county of about 100,000 people. You can almost, from East Palestine, see the Pennsylvania-Ohio border. So Senator CASEY has been very involved with this, too, with me, as has Senator VANCE, the freshman Republican Member from Ohio.

East Palestine is in Columbiana County. A few decades ago but in my lifetime, Columbiana County manufactured more than 80 percent of the cookware, of the ceramics in this country—plates and glasses and all those kinds of things. Eighty percent was made in that county, that one little county in Ohio.

When I was there—I have been there a number of times; I am going back next Tuesday—in Columbiana County, I talked to the sheriff my last visit

there. He said the last pottery closed just 2 or 3 years ago. So they once made 80 percent of all the cookware. Now, they essentially make zero.

We have seen in my State, time after time, in my hometown of Mansfield, OH—when I was in junior high at Johnny Appleseed Junior High, and that was really its name—I went to school with the sons and daughters of electrical workers at Westinghouse, autoworkers at General Motors, steelworkers at Empire Detroit, machinists at Tappan stove, the sons and daughters of electricians and carpenters and sheet metal workers and plumbers and pipefitters and laborers and operating engineers.

Those jobs essentially disappeared because this Congress and, Mr. President, down the hall in the House of Representatives—this Senate and this House of Representatives, aided and abetted by Presidents from George Bush, Sr., through Clinton, through George Bush, Jr., through Obama, through Trump—every one of those Presidents sold us out, sold our manufacturing workers out, because corporations lobbied Congress for trade agreements that made it easier for them to shut down production in Mansfield, OH, and Toledo, OH, and Lima, OH, and Defiance, OH, and Youngstown and East Palestine and move overseas so they could get cheap labor. That is what happened.

At the same time our corporate executives sold us out, our country built up China—China manufacturing, China industry—so that now China's military is a threat to us, all because of corporate greed and all because of this Wall Street business model.

So back to East Palestine. It is the kind of place that is too often forgotten or exploited or both by corporate America. Now, these Ohioans, because of this train running off the tracks because the $10-million-a-year CEO of Norfolk Southern decided over the last 10 years—their management—they cut 38 percent—more than a third of their workforce they laid off. When you lay off a third of your workforce and you are a railroad, what do you think happens? Of course they compromised on safety. Of course they didn't have enough workers inspecting track. Of course they weren't able to really detect ahead of time what happens with those wheel bearings.

Believe it or not—and I almost can't believe this, but I have heard it enough times, I know it is true—the railroads want to be able, under the law, to have one operator on their trains. Now, these railroads are 200 cars, often. We had another rail derailment in Springfield, OH, since East Palestine—more than 200 cars. They want to have only one operator.

So you are going to have one engineer, one human being run a train with 200 cars that is 2 or 2–1/5 or 3 miles long. That is all driven by corporate greed. It is driven by ''Let's lay off workers so we can report to Wall Street that our stock price went up, and then, as the CEO, when I do stock buybacks, I get more money.''

Here is what happened. We know that when the train ran off the track in East Palestine, it spewed these chemicals into the air. We know about this. It makes citizens wonder: Is the water safe to drink? Is the air safe to breathe? Will the kids get sick? What happens to the value of my home? These are generally modest, older homes in a town that has been hit hard—all because of a train derailment caused by a corporate culture of cutting corners.

Let me tell you a story, Mr. President. When I was in East Palestine, not last time but the time before—as I said, I am going again early next week. When I was last there, a woman in town who owns a small cattle farm 4 miles from town—she sells half a beef of cattle, half a beef every—every year or two, a number of local clients and a number of local friends buy her beef.

She said to me: You know, since this derailment, I am starting to get calls from my friends saying, ''Is it safe to eat this beef? Is it safe to eat this now?''

She says: I don't know what to tell them.

Authorities don't know what to tell them, but you can bet those buyers are going to go somewhere else to buy this beef. They are not going to take the chance. So it is one thing after another.

Again, Norfolk Southern chose to invest its massive profits in making its executives and shareholders wealthier. The company, as I said, followed the Wall Street business model and boosted its stock price by eliminating its workforce and cutting corners on safety.

So Senator VANCE and I—a Republican from Ohio and I, a Democrat from Ohio—have come together to introduce our Railway Safety Act to make trains safer as they go through communities like East Palestine. We are working with Senator CANTWELL, the chair of the Commerce Committee, to move this legislation forward quickly.

We know the train companies, the railroads, are already swooping in to lobby our colleagues to say: Oh, this is Big Government. You don't want these rules. You don't want these regulations.

They want to have one engineer per train. They don't want to tell the State of Ohio when they bring hazardous material in. They don't want to pay for training hazmat workers, firefighters.

In East Palestine, 1 fire chief is paid; 22 firefighters, 23 firefighters are volunteers. They don't have the training and they don't have the equipment to fight these kinds of hazardous material fires.

So the railroads continue to fight against the rules. They have, unfortunately, too many people in this body who say: I am against government regulations. I don't trust government.

Well, you shouldn't trust the railroads, for sure.

So, Mr. President, that is what has happened in East Palestine, OH, when a company has that kind of influence over workers, over communities, over Congress, and over the regulators in Washington.

It is the same story with Silicon Valley Bank. Let's scroll back a little. For as long as we have had big banks, they have had too much power in town. That is how we got the financial crisis of 2008 that wiped out worker savings and permanently set back an entire generation of young Americans. But, of course, Wall Street didn't change its ways from 15 years ago. Wall Street banks spent the ensuing years lobbying to roll back the safeguards Congress passed in the wake of the banking crisis of 15 years ago.

The now-defunct Silicon Valley Bank spent hundreds of thousands of dollars pushing for exemptions for banks like theirs. In fact, the CEO—I believe his name is Greg Becker—of Silicon Valley Bank was here lobbying for weaker rules, saying: My bank is safe. I don't need any rules or regulations.

Well, it kind of didn't work that way. He talked about the ''low-risk profile of our activities and business model''—the ''low-risk profile of our activities and business model.'' ''Low-risk profile'' is what he said. We know, actually, it had nothing to do with that. We know what he wanted. He wanted to maximize profit, risk be damned. And look what happened: The paychecks of thousands of Ohioans and people from New Jersey and California and all were at stake last weekend because of the Silicon Valley executives, because of their greed, because of their arrogance, and because of their incompetence.

When we let executives in big corporations run the economy, workers and their families always, always pay the price. Whether it is the greed of Silicon Valley executives, whether it is the greed of Norfolk Southern, whether it is the greed of the big drug companies or the greed of Big Oil or the incompetence of Norfolk Southern or the Silicon Valley or Big Pharma or Big Oil—all of that.

There is a pretty simple question at stake in everything we do in these jobs. It is, whose side are you on? Do you stand with corporate lobbyists, or do you stand with communities like East Palestine? Do you stand with the Silicon Valley venture capitalists, or do you stand with small businesses? Do you stand with Wall Street, or do you stand with workers?

It is the same fight over and over. We know we need to respond to this latest in a long line of financial industry failures. We know we need to respond to this long line of abuses by the railroads in terms of safety.

I hope my colleagues will put partisanship aside, as Senator VANCE and I are doing on rail safety, to stand with the people whom we serve.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Ohio.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. BROWN. 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.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23–02, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost $895 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

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

Enclosures

TRANSMITTAL NO. 23–02

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

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment* $526 million.

Other $369 million.

Total $895 million.

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

Major Defense Equipment (MDE):

Up to two hundred (200) Tomahawk Block V All Up Rounds (AUR)(RGM–109E).

Up to twenty (20) Tomahawk Block IV All Up Rounds (AUR)(RGM–109E).

Non-MDE: Also included is support for all three segments of Australia's Tomahawk Weapon System (TWS) to include the All Up Round (AUR), the Tactical Tomahawk Weapon Control System (TTWCS) and the Theater Mission Planning Center (TMPC). The support consists of unscheduled missile maintenance; spares; procurement; training; in-service support; software; hardware; communication equipment; operational flight test; engineering and technical expertise to maintain the TWS capability; and other related elements of logistical and program support.

(iv) Military Department: Navy (AT–P–LGJ).

(v) Prior Related Cases, if any: None.

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

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

(viii) Date Report Delivered to Congress: March 16, 2023.

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

POLICY JUSTIFICATION

Australia—Tomahawk Weapon System

The Government of Australia has requested to buy up to two hundred (200) Tomahawk Block V All Up Rounds (AUR) (RGM–109E); and up to twenty (20) Tomahawk Block IV All Up Rounds (AUR) (RGM–109E). Also included is support for all three segments of Australia's Tomahawk Weapon System (TWS) to include the All Up Round (AUR), the Tactical Tomahawk Weapon Control System (TTWCS) and the Theater Mission Planning Center (TMPC). The support consists of unscheduled missile maintenance; spares; procurement; training; in-service support; software; hardware; communication equipment; operational flight test; engineering and technical expertise to maintain the TWS capability; and other related elements of logistical and program support. The estimated total cost is $895 million.

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

The proposed sale will improve Australia's capability to interoperate with U.S. maritime forces and other allied forces as well as its ability to contribute to missions of mutual interest. By deploying the Tomahawk Weapon System, Australia will contribute to global readiness and enhance the capability of U.S. Forces operating alongside them globally. Australia will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. Australia will have no difficulty absorbing this equipment into its armed forces.

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

The prime U.S. contractor will be Raytheon Missiles and Defense, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require multiple trips by U.S. Government representatives and contractor personnel to visit Australia on a temporary basis over the life of the case to support delivery and integration of items and to provide supply support management, inventory control, and equipment familiarization. Visits will also include program and technical reviews.

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

TRANSMITTAL NO. 23–02

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Block IV/V All Up Round (AUR) consists of the RGM–109E Tomahawk cruise missile assembled in a canister for surface launch. Tomahawk Block IV/V capabilities include, increased system flexibility, improved system response times, improved lethality against an increased target set, improved accuracy, improved Anti-Jam GPS Receiver (AGR) with Selective Availability Anti-Spoofing Module (SAASM) capability, enhanced availability due to a 15–year maintenance interval and two-way communications between missile and Strike/Missile Controllers via Ultra High Frequency (UHF) Satellite Communications (SATCOM). The two-way communication capability, provided by the Satellite Data Link Terminal (SDLT) enables Mission Planners and the Strike/Missile Controller to issue in-flight missile retargeting commands, receive in-flight missile Health & Status (H&S) transmissions, obtain Battle Damage Indication (BDI) data and obtain single-frame Battle Damage Indication Imagery (BDII) using the onboard camera that is part of the Digital Scene Matching Area Correlator (DSMAC) Sensor Assembly (DSA).

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

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

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

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

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23–23, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Poland for defense articles and services estimated to cost $150 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

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

Enclosures.

TRANSMITTAL NO. 23–23

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

(i) Prospective Purchaser: Republic of Poland.

(ii) Total Estimated Value:
Major Defense Equipment* $125 million.
Other $25 million.
Total $150 million.
Funding Source: National Funds.

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

Major Defense Equipment (MDE):

Eight hundred (800) AGM–114R2 Hellfire Missiles.

Four (4) M36 Hellfire Captive Air Training Missiles (CATM).

Non-MDE: Also included is Tactical Aviation Ground Munition Program Office technical assistance; Security Assistance Management Directorate technical assistance; Joint Attack Munition Systems technical assistance; Classified and Unclassified publications; spare parts; repair and return; storage; and other related elements of logistics and program support.

(iv) Military Department: Army (PL–B–UDZ).

(v) Prior Related Cases, if any: None.

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

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

(viii) Date Report Delivered to Congress: March 16, 2023.

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

POLICY JUSTIFICATION

Poland—Hellfire Missiles

The Republic of Poland has requested to buy eight hundred (800) AGM–114R2 Hellfire missiles; and four (4) M36 Hellfire Captive Air Training Missiles (CATM). Also included is Tactical Aviation Ground Munition Program Office technical assistance; Security Assistance Management Directorate technical assistance; Joint Attack Munition Systems technical assistance; Classified and Unclassified publications; spare parts; repair and return; storage; and other related elements of logistics and program support. The total estimated cost is $150 million.

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

The proposed sale will improve Poland's military goals of updating capability while further enhancing interoperability with the United States and other allies. Poland intends to use these defense articles and services to modernize its armed forces and expand its capability to strengthen its homeland defense and deter regional threats. Poland will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor will be Lockheed Martin Corporation, Orlando, FL. There are no known offset agreements proposed in connection with this potential sale.

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

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

TRANSMITTAL NO. 23–23

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Hellfire AGM–114R2 is a precision strike, semi-active laser-guided missile and is the principal air-to-ground weapon for the U.S. Army AH–64 Apache. The Hellfire R model incorporates a multi-purpose warhead with selectable effects appropriate for engagement of a wide range of targets including heavily or lightly armored targets, thin-skinned vehicles, urban structures, caves, and personnel.

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

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

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

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

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23–06, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Romania for defense articles and services estimated to cost $104 million. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

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

Enclosures.

TRANSMITTAL NO. 23–06

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

(i) Prospective Purchaser: Government of Romania.

(ii) Total Estimated Value:
Major Defense Equipment* $47.0 million.
Other $57.0 million.
Total $104.0 million.
Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services Under Consideration for Purchase: Foreign Military Sales (FMS) case RO–B–UFL, was below congressional notification threshold at $43.73 million ($11.41 million in MDE) and included thirty-four (34) Heavy Gun Carriers Joint Light Tactical Vehicles (JLTVs). The Government of Romania has requested the case be amended to include an additional ninety-five (95) Heavy Gun Carriers JLTVs. This amendment will push the current case above the MDE and total case value notification thresholds and thus requires notification of the entire case.

Major Defense Equipment (MDE):

One hundred twenty-nine (129) M1278A1 Heavy Gun Carriers Joint Light Tactical Vehicles (JLTVs)

Non-MDE: Also included are VRC–104 radio kits; VRC–114 radio kits; baseline integration kits; basic issue items; Defense Advanced GPS Receivers (DAGRs); DAGR integration kits; network switch ports; exportable power kits; silent watch energy storages; power expansion kits; RF7800i intercom kits; combat bumper kits; winch kits; flat tow kits; run flat kits; spare tire kits; commander supply display units; improved turret drive systems; M1114 turret ring hatches; 2-year contractor spare parts package; technical assistance; total package fielding; technical publications/manuals; and other related elements of logistics and program support.

(iii) Military Department: Army (RO–B–UFL).

(iv) Prior Related Cases, if any: None.

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

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

(vii) Date Report Delivered to Congress: March 14, 2023.

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

POLICY JUSTIFICATION

Romania—M1278A1 Heavy Gun Carriers Joint Light Tactical Vehicles (JLTVs)

The Government of Romania has requested to buy an additional ninety-five (95) Heavy

Gun Carriers Joint Light Tactical Vehicles (JLTVs). This amendment will push the current case above the MDE and total case value notification thresholds and thus requires notification of the entire case. The original FMS case, valued at $43.73 million, included thirty-four (34) Heavy Gun Carriers JLTVs. Therefore, this notification is for a total of one hundred twenty-nine (129) M1278A1 Heavy Gun Carriers Joint Light Tactical Vehicles. Also included are VRC–104 radio kits; VRC–114 radio kits; baseline integration kits; basic issue items; Defense Advanced GPS Receivers (DAGRs); DAGR integration kits; network switch ports; exportable power kits; silent watch energy storages; power expansion kits; RF7800i intercom kits; combat bumper kits; winch kits; flat tow kits; run flat kits; spare tire kits; commander supply display units; improved turret drive systems; M1114 turret ring hatches; 2-year contractor spare parts package; technical assistance; total package fielding; technical publications/manuals; and other related elements of logistics and program support. The total estimated cost is $104.0 million.

This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve Romania's capability to meet current and future threats by providing a credible force that is capable of deterring adversaries and enhance its participation in NATO operations. Romania will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractors will be Oshkosh Corporation, Oshkosh, WI; and Oshkosh Defense, LLC, Oshkosh, WI. There are no known offset agreements proposed in connection with this potential sale.

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

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

TRANSMITTAL NO. 23–06

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Joint Light Tactical Vehicle (JLTV) program is a light tactical vehicle designed to replace the U.S. Military's aging High Mobility Multipurpose Wheeled Vehicle fleet. It was designed to close the existing gap in payload, performance, and protection to our adversaries during multi-domain operations. It has been an operationally optimal choice for the light tactical vehicle mission spectrum anywhere in the world. All JLTV mission variants include a strong balance of protection, maneuverability, speed, reliability, and combat support/combat service support capability that far surpasses any similar vehicle developed in its weight class today.

2. The JLTV is designed to be a system of systems. System of systems is a ''set or arrangement of systems that results when independent and useful systems are integrated into a larger system that delivers unique capabilities. The Joint Light Tactical Vehicle allows material and equipment from authorized contractors or industrial facilities used by U.S. forces in tactical operations and managed by other Program Offices.

3. The JLTV has inherent armor built into the base vehicle. It is what the U.S. Government (USG) calls A-Kit armor. This A-Kit Inherent armor provides both opaque and transparent armor solutions to provide a 360-degree azimuthal (i.e., all around) to include an elevated fire level of protection from a spectrum of kinetic energy/small arms fire threats with survivability enhancements to include Automatic Fire Extinguishing Protection (AFES) and structural rollover protection of 150% of the vehicle Ground Vehicle Weight Rating (GVWR).

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

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

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

7. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Romania.

ADDITIONAL STATEMENTS

REMEMBERING ELAN GANELES

● Mr. BLUMENTHAL. Mr. President, I rise today with a heavy heart to pay tribute to Elan Ganeles, a beloved son, brother, and friend to so many. Tragically, Elan was killed in Israel on February 27, at the age of 26.

Raised in West Hartford, Elan was one of Connecticut's own, a remarkable young man with unlimited potential. He was visiting Israel last month to attend a friend's wedding, when he was senselessly murdered by a gunman outside of Jericho, a beautiful life cut tragically short by violence and hate.

Born in the Bronx, NY, Elan moved with his family as an infant to West Hartford, CT, where he spent most of his young life. The Ganeles family are members of the Young Israel of West Hartford, and Elan attended the Hebrew High School of New England, where he graduated in 2014.

After graduating high school, Elan spent several years in Israel as a kibbutz volunteer and a member of the Israeli Defense Forces—IDF—working as a computer programmer. Following 3 years of IDF service, Elan returned to the United States to attend Columbia University where he was an admired member of the campus community. He graduated in 2022 with a double major in sustainable development and neuroscience and behavior.

At Columbia, Elan was very active in the Jewish community on campus. He participated in the First Year Leadership Fellowship and was involved in the TAMID Consulting Group, the Wednesday Night Learning Program, and Yavneh, the Orthodox student community on campus. Elan was also a dean's list student and a valued friend to all who knew him. His former roommate described him as the ''best friend you could ask for.''

Indeed, Elan's zeal for friendship—his gift for relating and loving—may be his enduring legacy. He touched so many lives in such meaningful ways. He will be remembered by countless friends, deeply impressive for their diversity as well as number. Elan would do anything for others. His huge capacity for kindness and generosity created lasting gratitude.

Elan is recalled as a deeply intelligent and intellectually curious person, relishing time with family. Elan's mother, Dr. Carolyn Ganeles, remembers her son's never-ending inquisitiveness. His father, Dr. Andrew Ganeles, speaks of Elan's strong sense of independence and the exciting lifetime ahead.

Recently, I met with Elan's grieving family and friends sitting Shiva at the Ganeles' home in West Hartford. I heard firsthand about this amazing young man, and I am heartbroken for his family and their tragic loss—indeed, for all who might have known him. May Elan's memory be a blessing.

My wife Cynthia and I extend our deepest sympathies to Elan's family during this difficult time, particularly to his parents Andrew and Carolyn, and his brothers Simon and Gabriel. I hope my colleagues will join me in honoring Elan's life and legacy, both large and lasting.●

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:05 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 619. An act to require the Director of National Intelligence to declassify information relating to the origin of COVID–19, and for other purposes.

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

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 502. An act to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs repays members of the Armed Forces for certain contributions made by such members towards Post-9 11 Educational Assistance, and for other purposes.

H.R. 815. An act to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes.

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

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, March 16, 2023, she had presented to the President of the United States the following enrolled bill:

S. 619. An act to require the Director of National Intelligence to declassify information relating to the origin of COVID–19, 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. GRASSLEY (for himself, Mr. PETERS, Mr. CORNYN, Mr. DURBIN, Ms. HASSAN, Ms. SINEMA, Ms. STABENOW, and Mr. HAWLEY):

S. 829. A bill to amend the Lobbying Disclosure Act of 1995 to clarify a provision relating to certain contents of registrations under that Act; to the Committee on Homeland Security and Governmental Affairs.

By Ms. COLLINS:

S. 830. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on the amount individuals filing jointly can deduct for certain State and local taxes; to the Committee on Finance.

By Mr. MERKLEY (for himself, Mr. RUBIO, Mr. CARDIN, and Mr. HAGERTY):

S. 831. A bill to address transnational repression by foreign governments against private individuals, and for other purposes; to the Committee on Foreign Relations.

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

S. 832. A bill to amend section 70108 of title 46, United States Code, to prohibit the Secretary of the Department in which the United States Coast Guard is operating from entering into an agreement relating to assessing the effectiveness of antiterrorism measures at a foreign port with any foreign government that is a state sponsor of terrorism, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. DURBIN, Mr. BLUMENTHAL, Mr. MARKEY, and Mr. CORNYN):

S. 833. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

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

S. 834. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to reauthorize the Agriculture Advanced Research and Development Authority, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COONS (for himself, Mr. CORNYN, Mr. TILLIS, and Mr. WHITEHOUSE):

S. 835. A bill to amend title 17, United States Code, to reaffirm the importance of, and include requirements for, works incorporated by reference into law, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL:

S. 836. A bill to amend the Consumer Product Safety Act to strike provisions that limit the disclosure of certain information by the Consumer Product Safety Commission; to the Committee on Commerce, Science, and Transportation.

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

S. 837. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 838. A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; to the Committee on Finance.

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

S. 839. A bill to require agencies to complete a regulatory impact analysis before issuing a significant rule, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRAHAM (for himself, Mr. GRASSLEY, Mr. CORNYN, Mr. LEE, Mr. CRUZ, Mr. HAWLEY, Mr. COTTON, Mr. KENNEDY, Mr. TILLIS, and Mrs. BLACKBURN):

S. 840. A bill to protect the rights of the people of the United States under the Second Amendment to the Constitution of the United States; to the Committee on the Judiciary.

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

S. 841. A bill to authorize the Caribbean Basin Security Initiative, to enhance the United States-Caribbean security partnership, to prioritize natural disaster resilience, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. CARDIN, Mr. BROWN, Mr. BLUMENTHAL, Mr. FETTERMAN, and Mr. WELCH):

S. 842. A bill to amend titles XVIII and XIX of the Social Security Act to provide for coverage of dental and oral health services, vision services, and hearing services under the Medicare and Medicaid programs; to the Committee on Finance.

By Mr. RISCH:

S. 843. A bill to amend the Infrastructure Investment and Jobs Act to authorize the use of funds for certain additional Carey Act projects, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 844. A bill to authorize the declaration of a hazardous train event, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself, Mr. LEE, Mr. DURBIN, and Mr. GRASSLEY):

S. 845. A bill to allow for expedited approval of generic prescription drugs and temporary importation of prescription drugs in the case of marginally competitive drug markets and drug shortages; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROUNDS (for himself, Mr. KING, Mr. CRAMER, Mr. DAINES, Mr. BARRASSO, Mr. GRASSLEY, Mr. TESTER, Ms. SMITH, Ms. LUMMIS, Mr. THUNE, and Mr. HOEVEN):

S. 846. A bill to amend the Federal Meat Inspection Act and the Poultry Products Inspection Act to allow the interstate sale of State-inspected meat and poultry, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself, Mr. MORAN, Mr. DURBIN, Mrs. BLACKBURN, Mr. CARDIN, Mr. TILLIS, Mrs. SHAHEEN, Mr. KAINE, Ms. DUCKWORTH, Mr. MERKLEY, and Mr. MURPHY):

S. 847. A bill to establish the International Children with Disabilities Protection Program within the Department of State, and for other purposes; to the Committee on Foreign Relations.

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

S. 848. A bill to establish competitive Federal grants that will empower community colleges and minority-serving institutions to become incubators for infant and toddler child care talent, training, and access on their campuses and in their communities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 849. A bill to authorize the Secretary of the Interior to establish higher minimum rates of pay for certain law enforcement employees of the Bureau of Indian Affairs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 850. A bill to incentivize States and localities to improve access to justice, and for other purposes; to the Committee on the Judiciary.

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

S. 851. A bill to include a Federal defender as a nonvoting member of the United States Sentencing Commission; to the Committee on the Judiciary.

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

S. 852. A bill to prohibit securities investments that finance certain companies of the People's Republic of China and to expand the Non-Specially Designated Nationals Chinese Military-Industrial Complex Companies List of the Office of Foreign Assets Control, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. ROSEN (for herself and Mr. CRAMER):

S. 853. A bill to direct the Secretary of Veterans Affairs to establish the Zero Suicide Initiative pilot program of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

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

S. 854. A bill to amend the Securities Exchange Act of 1934 to address the issuance of securities by Chinese entities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 855. A bill to amend the Securities Exchange Act of 1934 to require national securities exchanges to identify issuers that are consolidated variable interest entities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WICKER (for himself, Mr. LUJÁN, Mr. YOUNG, and Mr. KELLY):

S. 856. A bill to require the Federal Communications Commission to conduct a study and submit to Congress a report examining the feasibility of funding the Universal Service Fund through contributions supplied by edge providers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Ms. DUCKWORTH, Mr. BOOKER, Mr. PADILLA, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. LUJÁN, Mrs. FEINSTEIN, Mr. WYDEN, and Mr. HEINRICH):

S. 857. A bill to encourage and facilitate efforts by States and other stakeholders to conserve and sustain the western population of monarch butterflies, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 858. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

By Mr. MERKLEY:

S. 859. A bill to provide for the expedited consideration of nominations for the Supreme Court of the United States; to the Committee on Rules and Administration.

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

S. 860. A bill to require an annual report on United States portfolio investments in the People's Republic of China, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 861. A bill to require the United States Government to obtain and maintain the capacity to transmit internet access service abroad and domestically in case of emergency-related disruptions, and to strengthen support for circumvention technologies that allow users to evade government-backed censorship; to the Committee on Commerce, Science, and Transportation.

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

S. 862. A bill to address health workforce shortages through additional funding for the National Health Service Corps, and to establish a National Health Service Corps Emergency Service demonstration project; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself, Mr. CORNYN, Mr. KAINE, Mr. CRAMER, Mr. CARPER, Ms. HIRONO, Mr. TILLIS, Mr. YOUNG, Mrs. SHAHEEN, Ms. COLLINS, Mr. BLUMENTHAL, Mr. MANCHIN, Ms. ROSEN, Mr. ROUNDS, Ms. MURKOWSKI, and Mr. SULLIVAN):

S. 863. A bill to establish a temporary commission to develop a consensus and actionable recommendations on a comprehensive grand strategy with respect to the United States relationship with the People's Republic of China for purposes of ensuring a holistic approach toward the People's Republic of China across all Federal departments and agencies; to the Committee on Foreign Relations.

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

S. 864. A bill to require the Securities and Exchange Commission to require reporting of sourcing and due diligence activities of companies involving supply chains of products that are imported into the United States that are directly linked to products utilizing forced labor from Xinjiang, China, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 865. A bill to amend the Sarbanes-Oxley Act of 2002 to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HASSAN (for herself, Mr. YOUNG, Ms. CORTEZ MASTO, Mr. BARRASSO, Ms. SINEMA, Mr. TILLIS, Mrs. FEINSTEIN, Mr. DAINES, Mr. KELLY, Mr. HAGERTY, Mrs. MURRAY, Mr. MORAN, Mr. PETERS, and Mr. WICKER):

S. 866. A bill to amend the Internal Revenue Code of 1986 to enhance tax benefits for research activities; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Ms. HIRONO, Mr. PADILLA, Mr. CASEY, Mr. REED, Ms. DUCKWORTH, and Mr. FETTERMAN):

S. 867. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for grants for State firearms dealer licensing programs, and for other purposes; to the Committee on the Judiciary.

By Mr. COTTON:

S. 868. A bill to amend title 18, United States Code, to make the murder of a Federal, State, or local law enforcement officer a crime punishable by life in prison or death; to the Committee on the Judiciary.

By Ms. SMITH (for herself, Mr. ROUNDS, Ms. LUMMIS, Mr. DAINES, Mr. MORAN, Ms. KLOBUCHAR, Mr. MENENDEZ, and Mr. WARNER):

S. 869. A bill to amend the Community Development Banking and Financial Institutions Act of 1994 to reauthorize and improve the community development financial institutions bond guarantee program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS (for himself, Ms. COLLINS, Ms. MURKOWSKI, and Mr. CARPER):

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

By Mr. LUJÁN (for himself, Mr. TILLIS, Mrs. GILLIBRAND, Mr. MULLIN, Mr. DURBIN, and Mr. CORNYN):

S. 871. A bill to amend section 7014 of the Elementary and Secondary Education Act of 1965 to advance toward full Federal funding for impact aid, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COTTON:

S. 872. A bill to identify social media entities under the influence of certain foreign entities and to take measures to protect the United States from such entities, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 873. A bill to improve recreation opportunities on, and facilitate greater access to, Federal public land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. OSSOFF (for himself and Mr. TILLIS):

S. 874. A bill to direct the Secretary of Labor to modify the implementation of the adverse effect wage rate for H–2A nonimmigrants; to the Committee on the Judiciary.

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

S. 875. A bill to prohibit the receipt of Federal funds by individuals or entities conducting business with social media companies associated with countries of concern, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 114. A resolution urging the Government of Thailand to protect and uphold democracy, human rights, the rule of law, and rights to freedom of peaceful assembly and freedom of expression, and for other purposes; to the Committee on Foreign Relations.

By Mr. TILLIS (for himself, Mrs. FEINSTEIN, Mr. CORNYN, Mr. BLUMENTHAL, Mr. CRAPO, Mr. BOOKER, Mr. GRASSLEY, Mr. KAINE, Mr. RUBIO, Ms. KLOBUCHAR, Mr. TUBERVILLE, and Mr. MARKEY):

S. Res. 115. A resolution supporting the goals and ideals of ''Countering International Parental Child Abduction Month'' and expressing the sense of the Senate that Congress should raise awareness of the harm caused by international parental child abduction; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 113

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 113, a bill to require the Federal Trade Commission to study the role of intermediaries in the pharmaceutical supply chain and provide Congress with appropriate policy recommendations, and for other purposes.

S. 139

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 139, 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. 140

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. KENNEDY) 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. 316

At the request of Mr. KAINE, the names of the Senator from Virginia (Mr. WARNER), the Senator from Washington (Mrs. MURRAY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 316, a bill to repeal the authorizations for use of military force against Iraq.

S. 495

At the request of Mr. TESTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 495, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide assisted living services for eligible veterans, and for other purposes.

S. 559

At the request of Mr. SULLIVAN, his name was added as a cosponsor of S. 559, a bill to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs.

S. 637

At the request of Mr. SCHATZ, the names of the Senator from Rhode Island (Mr. REED), the Senator from Vermont (Mr. WELCH), the Senator from Michigan (Ms. STABENOW), the Senator from Oregon (Mr. WYDEN) and

the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 637, a bill to amend the Fair Labor Standards Act of 1938 to apply child labor laws to independent contractors, increase penalties for child labor law violations, and for other purposes.

S. 639

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 639, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 646

At the request of Mr. COONS, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 646, a bill to amend the Energy Policy Act of 2005 to establish a Hydrogen Technologies for Heavy Industry Demonstration Program, and for other purposes.

S. 648

At the request of Mr. COONS, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 648, a bill to require the Secretary of Transportation, in consultation with the Secretary of Energy, to establish a grant program to demonstrate the performance and reliability of heavy-duty fuel cell vehicles that use hydrogen as a fuel source, and for other purposes.

S. 707

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to allow for the retirement of certain animals used in Federal research, and for other purposes.

S. 727

At the request of Mr. SANDERS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 727, a bill to limit the price charged by manufacturers for insulin.

S. 800

At the request of Mr. BLUMENTHAL, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 800, a bill to amend the Internal Revenue Code of 1986 to impose a higher rate of tax on bonuses and profits from sales of stock received by executives employed by failing banks that were closed and for which the Federal Deposit Insurance Corporation has been appointed as conservator or receiver.

S. 813

At the request of Mr. LUJÁN, the names of the Senator from Kansas (Mr. MARSHALL) and the Senator from Texas (Mr. CORNYN) were added as cosponsors 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. 814

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 814, a bill to allow the Secretary of Homeland Security to designate Romania as a program country under the visa waiver program.

S. RES. 107

At the request of Mrs. HYDE-SMITH, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 107, a resolution recognizing the expiration of the Equal Rights Amendment proposed by Congress in March 1972, and observing that Congress has no authority to modify a resolution proposing a constitutional amendment after the amendment has been submitted to the States or after the amendment has expired.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS:

S. 830. A bill to amend the Internal Revenue Code of 1986 to increase the limitation on the amount individuals filing jointly can deduct for certain State and local taxes; to the Committee on Finance.

Ms. COLLINS. Madam President, as Tax Day approaches, Americans families have begun calculating their taxes and filling out returns. They face a Tax Code that is frustratingly complex and at times unfair. The bill that I am introducing today would remedy a major discrepancy. The SALT Deduction Fairness Act would ensure that limits on State and local tax deductions, also known as SALT deductions, do not unfairly penalize married filers.

Currently, the amount of State and local taxes that both single and married filers may deduct from their annual income taxes is capped at $10,000. Married people who file their taxes separately are limited to $5,000 each. In other words, people would be better off not getting married at all when it comes to the SALT deduction. My legislation eliminates the marriage penalty by treating married couples fairly by doubling their deduction to $20,000 when they file jointly or $10,000 each for married individuals who file separate returns.

The SALT deduction has been in the Tax Code since 1913 when the income tax was established. It is intended to protect taxpayers from double taxation. When the Senate considered the Tax Cuts and Jobs Act, I worked to keep the SALT deduction in the Federal Tax Code because of the increased tax burden its elimination would have imposed on Mainers. They already pay taxes on their homes and seasonal properties, annual excise taxes on their vehicles, sales taxes, and State income taxes. The Senate adopted my amendment, preserving the deduction for State and local taxes up to $10,000.

Maine has one of the Nation's highest State income tax rates, making this deduction especially important to families in my State. Last year, an analysis by WalletHub found that Maine had the third highest overall tax burden behind only New York and Hawaii. Yet, according to the U.S. Census Bureau, Maine's median household income ranks only 32nd in the Nation and is approximately $5,000 below the U.S. median household income. Many Mainers are also subject to high local property taxes. The SALT deduction helps to offset the burden these taxes place on Maine families, providing critical relief for those who itemize their deductions.

More broadly, our Tax Code must be fair to the more than 60 million married couples living in our Nation. A couple should not face a tax penalty for being married. One way to do that is to not penalize the deductions they can take for State and local taxes. The SALT Deduction Fairness Act remedies this.

I urge my colleagues to support this commonsense bill to fix this marriage penalty.

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

S. 837. A bill to enhance civil penalties under the Federal securities laws, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Madam President, today I am introducing the Stronger Enforcement of Civil Penalties Act along with Senator Grassley. This bill will help securities regulators better protect investors and demand greater accountability from market players. Even in the midst of an unprecedented public health and economic emergency, we continue to see calculated wrongdoing by some on Wall Street, and without the consequence of meaningful penalties to serve as an effective deterrent, I worry this disturbing culture of misconduct will persist.

The amount of penalties the Securities and Exchange Commission, SEC, can fine an institution or individual is restricted by statute. During hearings I held in 2011 as chairman of the Banking Committee's Securities, Insurance, and Investment Subcommittee, I learned how this limitation significantly interferes with the SEC's ability to execute its enforcement duties. At that time, a Federal judge had criticized the SEC for not obtaining a larger settlement against Citigroup, a major actor in the financial crisis that settled with the Agency in an amount that was far below the cost the bank had inflicted on investors. The SEC indicated that a statutory prohibition against levying a larger penalty led to the low settlement amount. Indeed, in the immediate aftermath of the financial crisis, then-SEC Chairman Mary Schapiro explained that ''the Commission's statutory authority to obtain civil monetary penalties with appropriate deterrent effect is limited in many circumstances.'' Unfortunately, the SEC's statutory authority remains unchanged and the Agency's deterrent effect remains limited—even though securities fraud has not abated.

The bipartisan bill we are introducing aims to update the SEC's outdated civil penalties statutes. This bill strives to make potential and current offenders think twice before engaging in misconduct by raising the maximum statutory civil monetary penalties, directly linking the size of the penalties to the amount of losses suffered by victims of a violation, and substantially increasing the financial stakes for serial offenders of our Nation's securities laws.

Specifically, our bill would broaden the SEC's options to tailor penalties to the particular circumstances of a given violation. In addition to raising the per violation caps for severe, or ''third tier,'' violations to $1 million per offense for individuals and $10 million per offense for entities, the legislation would also give the SEC more options to collect greater penalties based on the ill-gotten gains of the violator or on the financial harm to investors.

Our bill also seeks to deter repeat offenders on Wall Street through two provisions. The first would authorize the SEC to triple the penalty cap applicable to recidivists who have been held either criminally or civilly liable for securities fraud within the previous 5 years. The second would allow the SEC to seek a civil penalty against those who violate existing Federal court or SEC orders, an approach that would be more efficient, effective, and flexible to the current civil contempt remedy. These updates would greatly enhance the SEC's ability to levy tough penalties against repeat offenders.

The SEC's current Director of Enforcement said several months ago that ''a centerpiece'' of the Agency's efforts to ''hold wrongdoers accountable and deter future misconduct . . . is ensuring that we are using every tool in our toolkit, including penalties that have a deterrent effect and are viewed as more than the cost of doing business.'' Our bill will strengthen the SEC's existing tools, which will further increase deterrence and substantially ratchet up the costs of committing fraud.

All of our constituents deserve a strong regulator that has the necessary tools to go after fraudsters and pursue the difficult cases arising from our increasingly complex financial markets. The Stronger Enforcement of Civil Penalties Act will enhance the SEC's ability to demand meaningful accountability from Wall Street, which in turn will increase transparency and confidence in our financial system. I urge our colleagues to support this important bipartisan legislation.

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

S. 839. A bill to require agencies to complete a regulatory impact analysis before issuing a significant rule, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. THUNE. Madam President, I am also introducing legislation today to help prevent economically damaging regulations from going into effect in the first place. My bill, the Regulatory Transparency Act, would require Federal Agencies to conduct a more transparent and objective analysis of the impact a proposed regulation would have on the economy, especially on small businesses. It would also require Agencies to justify the need for the regulation and consider other less burdensome ways of meeting the same goal. And, importantly, it would require Agencies to consider whether a sunset date for the regulation would be appropriate, which could help reduce the long-term buildup of irrelevant or outdated Federal regulations.

There is a lot more that I could say about the regulations the Biden administration has implemented or is trying to put in place, but I will stop here. Suffice it to say that President Biden has made use of the regulatory system to advance an agenda that will negatively affect our Nation, and I will continue to do everything I can to push back against the Biden administration's many troubling regulations and to protect our economy and the American people from the regulatory burden the administration has put in place.

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

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

S. 839

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Regulatory Transparency Act of 2023''.

SEC. 2. DEFINITIONS.

Section 601 of title 5, United States Code, is amended—

(1) in paragraph (6), by striking ''and'' at the end;

(2) in paragraph (7) by striking the period at the end and inserting a semicolon;

(3) in paragraph (8)—

(A) by striking ''RECORDKEEPING REQUIREMENT.—The'' and inserting ''the''; and

(B) by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(9) the term 'significant rule' means any final rule that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget determines is likely to—

''(A) have an annual effect on the economy of $100,000,000 or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

''(B) create a significant inconsistency or otherwise interfere with an action taken or planned by another Federal agency;

''(C) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

''(D) raise novel legal or policy issues.''.

SEC. 3. REGULATORY IMPACT ANALYSES; CONSIDERATION OF SUNSET DATES.

(a) IN GENERAL.—Chapter 6 of title 5, United States Code, is amended by adding at the end the following:

''§ 613. Regulatory impact analyses

''(a) IN GENERAL.—Before issuing any proposed rule, final rule, or interim final rule that meets the economic threshold of a significant rule described in section 601(9)(A), an agency shall conduct a regulatory impact analysis to evaluate the proposed rule, final rule, or interim final rule, as applicable.

''(b) REGULATORY IMPACT ANALYSES.—An analysis under subsection (a) shall—

''(1) be based upon the best reasonably obtainable supporting information, consistent with Executive Order 12866 (5 U.S.C. 601 note; relating to regulatory planning and review) and any other relevant guidance from the Office of Management and Budget;

''(2) be transparent, replicable, and objective;

''(3) describe the need to be addressed and how the rule would address that need;

''(4) analyze the potential effects, including the benefits and costs, of the rule;

''(5) to the maximum extent practicable, consider the cumulative regulatory burden on the regulated entity under subsection (c);

''(6) consider the potential effects on different types and sizes of businesses, if applicable;

''(7) for a proposed rule that is likely to lead to a significant rule, or a final or interim final rule that is a significant rule—

''(A) describe the need to be addressed, including—

''(i) the supporting information demonstrating the need;

''(ii) the failures of private markets that warrant new agency action, if applicable; and

''(iii) whether existing law, including regulations, has created or contributed to the need;

''(B) define the baseline for the analysis;

''(C) set the timeframe of the analysis;

''(D) analyze any available regulatory alternatives, including—

''(i) if rulemaking is not specifically directed by statute, the alternative of not regulating;

''(ii) any alternatives that specify performance objectives rather than identify or require the specific manner of compliance that regulated entities must adopt;

''(iii) any alternatives that involve the deployment of innovative technology or practices; and

''(iv) any alternatives that involve different requirements for different types or sizes of businesses, if applicable;

''(E) identify the effects of the available regulatory alternatives described in subparagraph (D);

''(F) identify the effectiveness of tort law to address the identified need;

''(G) to the maximum extent practicable, quantify and monetize the benefits and costs of the selected regulatory alternative and the available alternatives under consideration;

''(H) discount future benefits and costs quantified and monetized under subparagraph (G);

''(I) to the maximum extent practicable, evaluate non-quantified and non-monetized benefits and costs of the selected regulatory alternative and the available alternatives under consideration; and

''(J) characterize any uncertainty in benefits, costs, and net benefits.

''(c) CUMULATIVE REGULATORY BURDEN.—In considering the cumulative regulatory burden under subsection (b)(5), an agency shall—

''(1) identify and assess the benefits and costs of other regulations require compliance by the same regulated entities to attempt to achieve similar regulatory objectives;

''(2) evaluate whether the rule is inconsistent with, incompatible with, or duplicative of other regulations; and

''(3) consider whether the estimated benefits and costs of the rule increase or decrease as a result of other regulations issued by the agency, including regulations that are not yet fully implemented, compared to the benefits and costs of that rule in the absence of such regulations.

''(d) LESS BURDENSOME ALTERNATIVES.—If, after conducting an analysis under subsection (a) for a proposed rule that is likely to lead to a significant rule, or a final rule or interim final that is a significant rule, the agency selects a regulatory approach that is not the least burdensome compared to an available regulatory alternative, the agency shall include—

''(1) in the summary section of the preamble a statement that the selected approach is more burdensome than an available regulatory alternative; and

''(2) a justification, with supporting information, for the selected approach.

''(e) REGULATORY DETERMINATION.—

''(1) IN GENERAL.—Except as expressly provided otherwise by law, an agency may issue a proposed rule, final rule, or interim final rule only upon a reasoned determination that the benefits of the rule justify the costs of the rule.

''(2) REQUIREMENTS.—

''(A) ALTERNATIVE.—Whenever an agency is expressly required by law to issue a rule, the agency shall select a regulatory alternative that has benefits that exceed costs and complies with law.

''(B) COMPLIANCE.—If it is not possible to comply with the law by selecting a regulatory alternative that has benefits that exceed costs, an agency shall select the regulatory alternative that has the least costs and complies with law.

''§ 614. Consideration of sunset dates

''(a) SUNSET.—Not later than July 1, 2023, an agency shall, for each proposed rule or interim final rule of the agency that meets the economic threshold of a significant rule described in section 601(9)(A), include an explicit consideration of a sunset date for the rule.

''(b) ELEMENTS.—The consideration described in subsection (a) for a proposed rule or interim final rule described in that subsection shall include an assessment of whether the rule—

''(1) could become outmoded or outdated in light of changed circumstances, including the availability of new technologies; or

''(2) could become excessively burdensome after a period of time due to, among other things—

''(A) disproportionate costs on small businesses;

''(B) the net effect on employment, including jobs added or lost in the private sector; and

''(C) costs that exceed benefits.

''(c) PUBLICATION.—A summary of the consideration described in subsection (a) for a proposed rule or interim final rule described in that subsection shall be published in the Federal Register along with the proposed or interim final rule, as applicable.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 6 of title 5, United States Code, is amended by adding at the end the following:

''613. Regulatory impact analyses.
''614. Consideration of sunset dates.''.

SEC. 4. JUDICIAL REVIEW.

Section 611(a) of title 5, United States Code, is amended, in paragraphs (1) and (2), by striking ''and 610'' and inserting ''610, and 613''.

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

S. 850. A bill to incentivize States and localities to improve access to justice, and for other purposes; to the Committee on the Judiciary.

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

S. 851. A bill to include a Federal defender as a nonvoting member of the United States Sentencing Commission; to the Committee on the Judiciary.

Mr. BOOKER. Madam President, this Saturday, March 18, will mark the 60th anniversary of the unanimous and landmark Supreme Court decision in Gideon v. Wainwright, which held that every American has the constitutional right in criminal cases, regardless of their wealth and where they were born—they have a right, fundamentally, to the public defense system that we know today.

Before Gideon was decided, people accused of crimes were left to fend for themselves, having to navigate arraignments, plea bargains, jury decisions, trials, cross-examination of witnesses—every part of the criminal prosecution, they had to do it themselves while facing government prosecutors who had the legal upper hand.

Clarence Earl Gideon was a 51-year-old with an eighth grade education who ran away from home in middle school. History describes him as a ''drifter'' who spent time in and out of prison for nonviolent crimes, but history would also come to know him as someone who fundamentally transformed our legal system so that any person without resources accused of a crime has a due process right to a fair trial. You can't have a fair trial without counsel.

In 1961, Gideon was arrested for stealing $5 in change and beer, allegedly doing so from the Bay Harbor Poolroom in Panama City, FL. As James Baldwin would write the same year as Gideon's arrest, ''Anyone who has ever struggled with poverty knows how extremely expensive it is to be poor.''

Gideon, who had spent much of his life in poverty, was too poor to hire an attorney and asked the trial court to appoint one for him. The court denied his request, saying that only indigent defenders facing the death penalty are entitled to a lawyer.

Gideon assumed the burden of defending himself at trial, becoming his own lawyer. He made an opening statement to the jury and cross-examined the prosecution's witnesses. He presented witnesses in his own defense. He declined to testify himself and made arguments emphasizing his innocence.

Despite his valiant efforts, the jury found Gideon guilty of this $5 theft, and he was sentenced to 5 years' imprisonment. But Gideon felt he had been fundamentally deprived of his due process rights.

Determined to prove his innocence, Gideon penciled a five-page, handwritten petition asking the nine Justices of the Supreme Court to consider his case. Against all odds, the Supreme Court granted Gideon's petition.

Gideon would tell the Supreme Court:

> It makes no difference how old I am or what color I am or which church I belong to, if any. The question is I did not get a fair trial. The question is very simple. I requested the court to appoint me [an] attorney and the court refused.

In the Court's unanimous decision, they held that ''reason and reflection require us to recognize that in our adversary system of criminal justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him.''

Gideon's case was sent back to the lower court, where he had a lawyer to defend him. It took the jury only 1 hour to come to a verdict and acquit him.

From that time on, the public defense system as we know it today came into existence. Folks who couldn't afford a lawyer 60 years ago are now guaranteed basic legal protection. Public defenders play a sacrosanct role in our society. Every one of America's public defenders embarks on the noble work that is the cornerstone of our legal system, ensuring that every citizen has a right to a fair trial, that every citizen has access to justice within the justice system.

Yet the promise of Gideon, the promise of this decision, still remains unfulfilled. The public defense is under such strain that in many places, it barely functions.

Justice Black declared that ''lawyers in criminal courts are necessities, not luxuries.'' But too often across our country, adequate legal representation is a luxury only afforded to those who are wealthy enough to hire a lawyer.

Despite their important and essential work to the cause of justice, public defenders carry crushing caseloads that strain their ability to meet their legal and ethical obligations to provide effective representation. According to a 2019 Brennan Center report, only 27 percent of county-based and 21 percent of State-based public defender offices have enough attorneys to adequately handle their caseloads. There are counties and States in America where public defenders are responsible for more than 200 cases at one time.

The quality of public defenders also varies from State to State, town to town, case to case. Compared to prosecutors and other attorneys, public defenders are woefully underresourced and underpaid. That is why today, with my friend and colleague from Illinois, Senator DURBIN, I am introducing the Providing a Quality Defense Act to provide funding to local governments to hire more public defenders so that those accused of crimes can receive adequate representation.

The bill will provide funding to increase salaries for public defenders so that they can have pay parity with the prosecutors they face. It will require

the Department of Justice to conduct evidence-based studies and make recommendations for appropriate caseloads for public defenders and for adequate compensation.

Public defenders don't just represent their clients with zealous advocacy; they get to know their clients and see the impact of convictions on their families and loved ones. This experience is invaluable and helps to inform sentencing should there be a conviction. However, unlike the majority of State sentencing commissions, the U.S. Sentencing Commission, an independent Agency tasked with establishing sentencing policies and practices for the Federal court, lacks a representative from a public defender background who would provide an essential perspective on the criminal justice system.

Today, again, along with Senator DURBIN, I am reintroducing the Sentencing Commission Improvements Act to add a member to the U.S. Sentencing Commission with a public defender background who will bring a new and valuable perspective to the Commission.

I urge my colleagues to support both of these bills, which will bring us one step closer to a justice system that is fairer, more humane, and more just. Such a criminal justice system is part of the legacy of a so-called drifter, a 51-year-old who spoke truth to power, who challenged a system that seemed impossible to beat, who challenged the very idea of what it means to have a just justice system. If the moral arc of the universe bends towards justice, then Clarence Earl Gideon is one of the arc benders.

Mr. DURBIN. Madam President, behind the scenes of our Nation's courtrooms and jails, we will find some of our most dedicated public servants. They are America's public defense lawyers. They work long hours for low pay, and even less attention and acclaim, to protect the most American ideal: equal justice under the law. It is thanks to their service that every single citizen in this country is guaranteed the right to legal counsel.

Well, this Saturday, we have a chance to honor them. It is National Public Defender Day. This year, National Public Defender Day also marks a major milestone in legal history. It is the 60th anniversary of the Supreme Court's decision in the landmark case Gideon v. Wainwright.

As hard as it is to imagine, there were days before the Gideon decision when the constitutional right to legal counsel was not protected. That means, in some States, if you were charged with a crime but couldn't afford a lawyer, you were on your own.

That is exactly what happened to a man named Clarence Gideon in the summer of 1961. At the time, he was down on his luck, struggling with the disease of addiction on the streets of Panama City, FL.

Early one morning in June, he was arrested for a burglary. The evidence against him: A witness claimed that they saw him steal from a local pool hall. The police arrested him based on that accusation alone.

When Mr. Gideon appeared in court, he told the judge he couldn't afford a lawyer, and he asked for an appointed attorney. The judge denied his request. He told Mr. Gideon the court could only appoint counsel to defendants facing the death penalty. In other words, Mr. Gideon was denied his Sixth Amendment right to counsel, which has been enshrined in our Constitution since the enactment of the Bill of Rights, because he wasn't accused of a very serious crime.

Well, Mr. Gideon didn't need a law degree to know something was wrong here. So he picked up a pen and a sheet of paper and wrote a letter to the U.S. Supreme Court, and with that letter, he changed history.

The Supreme Court agreed to hear his case and finally appointed him an attorney—and not just an average attorney—future Supreme Court Justice Abe Fortas.

Fast-forward to March of 1963. The Court issued its decision. All nine Justices ruled unanimously in favor of Mr. Gideon. In the majority opinion, Justice Hugo Black said, ''Lawyers in criminal courts are necessities, not luxuries,'' and he concluded that the ''noble ideal . . . [of] . . . fair trials before impartial tribunals in which every defendant stands equal before the law . . . cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him.''

In the six decades since Gideon, generations of public defenders have stepped up to ensure that no one is denied their right to legal counsel, and for our most vulnerable neighbors in particular, public defenders are an indispensable protection. They have protected the rights of low-income and indigent Americans. They have helped defendants access resources and services to get their lives back on track, and they have worked day in and day out to secure sentences that are humane and proportional.

Moreover, public defenders provide a service to all of us by strengthening the integrity of our system of justice. Think about this: The United States has one of the highest rates of incarceration in the world. So when defendants are denied adequate legal representation, they could end up behind bars for crimes they did not commit or receive excessive or even inhumane sentences for those that they did commit. That is a subversion of justice that wastes resources, violates fundamental values, and, worst of all, treats humans as if they are disposable objects. So all of us owe a debt of gratitude to the public defenders fighting against these injustices.

But we also need to show that gratitude by providing public defenders with the resources they need to advocate for their clients. While the legal profession may be lucrative for attorneys working in big, corporate boardrooms, the reality is very different for lawyers who dedicate themselves to public service. One recent study indicates that—when accounting for the cost of overhead—public defenders can earn as little as $5.16 an hour.

With meager salaries for long hours of work, it is really no wonder that we are currently facing a shortage of public defense lawyers. And that shortage is having a detrimental impact across the country. Criminal cases are going unresolved, defendants in need of medical and mental services are not being treated, and justice is being delayed—and therefore—denied. This is a problem that effects every part of the country. And right now, States like New Mexico and Oregon have a third of the number of public defenders they need to clear their criminal caseload.

Today, Senator BOOKER and I will be introducing two bills to underscore the value of public defenders and provide them with greater funding and resources. One of these bills is a piece of legislation we first introduced in 2021: the Sentencing Commission Improvements Act. We wrote this bill for a simple reason. Public defenders not only provide an invaluable service to our country, they also offer an invaluable perspective.

These legal professionals spend countless hours with vulnerable defendants, as well as their families. They see firsthand how the disease of addiction can lead people down the wrong path and understand how to best support them, so they can get on the road to recovery.

Public defenders help console children who are coming to terms with the fact that they may not hug a parent for years because they are behind bars. And they are there to hold a parent's hand when they find out their son or daughter has received a lengthy sentence. Public defenders understand the sobering—and sometimes grim—reality of our justice system better than anyone. So to build a system that actually prepares incarcerated people to reenter society and become productive citizens, we need to give public defenders a seat at the decision-making table. The Sentencing Commission Improvements Act will achieve that by adding an ex officio member to the U.S. Sentencing Commission who is a public defender. It is exactly the perspective the Commission needs to develop fairer sentencing guidelines.

Our other bill is the Quality Defense Act. It will create a grant program to help fund data collection, hiring, increased compensation, and loan assistance programs for public defenders. This bill also directs the Justice Department to study and develop best practices and recommendations on appropriate public defender caseloads and levels of compensation. These measures will provide public defenders with resources that reflect the importance of their service and encourage attorneys to pursue careers as public defenders.

I believe our justice system is stronger when it incorporates the insights of experts who have worked across the legal spectrum. That is why, as chair of the Senate Judiciary Committee, I have worked to confirm Federal judges who have served as public defenders. These perspectives have long been excluded from the Federal bench, which is a disservice to the American public. Thankfully, we are finally changing course. Last year, this Senate confirmed the first former public defender to ever serve on the Supreme Court: Justice Ketanji Brown Jackson.

And in the past 2 years, we have confirmed more circuit judges with experience as public defenders than all prior Presidents combined. One of them is Judge Candace Jackson-Akiwumi, who serves on the Seventh Circuit in my home State of Illinois. Back in 2017, Judge Jackson-Akiwumi reflected on her time as a public defender—and how it tested her as a legal professional.

She wrote that, as a public defender, ''I am a counselor, helping clients to navigate difficult choices. . . . I am a teacher, introducing clients and their families to the federal court system . . .

''[and] I am a lay social worker: many of our clients have disadvantaged backgrounds, extensive mental health histories, substance abuse issues, and other everyday challenges.''

When you work as a public defender, the job demands a lot more than a simple attorney-client relationship. It is a job that demands resourcefulness, thoughtfulness, and quick, strategic thinking. These are the same qualities we need in the judges who serve on our Nation's Federal courts. And they are the same qualities people look for when they enter the courtroom as a plaintiff or defendant.

So as we honor National Public Defender Day this weekend, I want to thank all of our courageous and dedicated public defense attorneys across America. We are grateful for your commitment to defending equal justice under law.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, and Mr. BLUMENTHAL):

S. 858. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

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

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

S. 858

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cameras in the Courtroom Act''.

SEC. 2. AMENDMENT TO TITLE 28.

(a) IN GENERAL.—Chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

''§ 678. Televising Supreme Court proceedings

''The Supreme Court shall permit television coverage of all open sessions of the Court unless the Court decides, by a vote of the majority of justices, that allowing such coverage in a particular case would constitute a violation of the due process rights of 1 or more of the parties before the Court.''.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

''678. Televising Supreme Court proceedings.''.

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

S. 862. A bill to address health workforce shortages through additional funding for the National Health Service Corps, and to establish a National Health Service Corps Emergency Service demonstration project; to the Committee on Health, Education, Labor, and Pensions.

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

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

S. 862

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Restoring America's Health Care Workforce and Readiness Act''.

SEC. 2. ADDITIONAL FUNDING FOR THE NATIONAL HEALTH SERVICE CORPS.

(a) ADDITIONAL FUNDING.—Section 10503(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(2)) is amended—

(1) in subparagraph (G), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (H), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(I) $625,000,000 for fiscal year 2024;

''(J) $675,000,000 for fiscal year 2025; and

''(K) $825,000,000 for fiscal year 2026.''.

(b) NATIONAL HEALTH SERVICE CORPS EMERGENCY SERVICE DEMONSTRATION PROJECT.—Part B of title XXVIII of the Public Health Service Act is amended by inserting after section 2812 (42 U.S.C. 300hh–11) the following:

''SEC. 2812A. NATIONAL HEALTH SERVICE CORPS EMERGENCY SERVICE DEMONSTRATION PROJECT.

''(a) IN GENERAL.—For each of fiscal years [2024] through [2026], from the amounts made available under section 10503(b)(2) of the Patient Protection and Affordable Care Act, to the extent permitted by, and consistent with, the requirements of applicable State law, the Secretary shall allocate up to $50,000,000 to establishing, as a demonstration project, a National Health Service Corps Emergency Service (referred to in this section as the 'emergency service') under which a qualified individual currently or previously participating in the National Health Service Corps agrees to engage in service through the National Disaster Medical System established under section 2812, as described in this section.

''(b) PARTICIPANTS.—

''(1) NHSC ALUMNI.—

''(A) QUALIFIED INDIVIDUALS.—An individual may be eligible to participate in the emergency service under this section if such individual participated in the Scholarship Program under section 338A or the Loan Repayment Program under section 338B, and satisfied the obligated service requirements under such program, in accordance with the individual's contract.

''(B) PRIORITY AND INCREASED FUNDING AMOUNTS.—

''(i) PRIORITY.—In selecting eligible individuals to participate in the program under this paragraph, the Secretary shall give priority—

''(I) first, to qualified individuals who continue to practice at the site where the individual fulfilled his or her obligated service under the Scholarship Program or Loan Repayment Program through the time of the application to the program under this section; and

''(II) secondly, to qualified individuals who continue to practice in any site approved for obligated service under the Scholarship Program or Loan Repayment Program other than the site at which the individual served.

''(ii) INCREASED FUNDING AMOUNTS.—The Secretary may grant increased award amounts to certain participants in the program under this section based on the site where a participant fulfilled his or her obligated service under the Scholarship Program or Loan Repayment Program.

''(C) PRIVATE PRACTICE.—An individual participating in the emergency service under this section may practice a health profession in any private capacity when not obligated to fulfill the requirements described in subsection (c).

''(2) CURRENT NHSC MEMBERS.—

''(A) IN GENERAL.—An individual who is participating in the Scholarship Program under section 338A or the Loan Repayment Program under section 338B may apply to participate in the program under this section while fulfilling the individual's obligated services under such program.

''(B) CLARIFICATIONS.—Notwithstanding any other provision of law or any contract with respect to service requirements under the Scholarship Program or Loan Repayment Program, an individual fulfilling service requirements described in subsection (c) shall not be considered in breach of such contract under such Scholarship Program or Loan Repayment Program, provided that the individual give advance and reasonable notification to the site at which the individual is fulfilling his or her obligated service requirements under such contract, and the site approves the individual's deployment through the National Disaster Medical System.

''(C) NO CREDIT TOWARD OBLIGATED SERVICE.—No period of service under the National Disaster Medical System described in subsection (c)(1) shall be counted toward satisfying a period of obligated service under the Scholarship Program or Loan Repayment Program.

''(c) PARTICIPANTS AS MEMBERS OF THE NATIONAL DISASTER MEDICAL SYSTEM.—

''(1) SERVICE REQUIREMENTS.—An individual participating in the program under this section shall participate in the activities of the National Disaster Medical System under section 2812 in the same manner and to the same extent as other participants in such system.

''(2) RIGHTS AND REQUIREMENTS.—An individual participating in the program under this section shall be considered participants in the National Disaster Medical System and shall be subject to the rights and requirements of subsections (c) and (d) of section 2812.

''(d) EMERGENCY SERVICE PLAN.—In carrying out this section, the Secretary, in consultation with the Administrator of the

Health Resources and Services Administration and the Assistant Secretary for Preparedness and Response, shall establish an action plan for the service commitments, deployment protocols, coordination efforts, training requirements, liability, workforce development, and such other considerations as the Secretary determines appropriate. Such action plan shall—

''(1) ensure adherence to the missions of both the National Health Service Corps and National Disaster Medical Service;

''(2) outline the type of providers determined by the Assistant Secretary to be priorities for participation in the program established under this section;

''(3) describe how such deployments will be determined and prioritized in a manner consistent with—

''(A) the National Health Service Corps contracts; and

''(B) the National Disaster Medical System's deployment policy of not hindering civilian responders already engaged in an emergency response;

''(4) ensure an adequate health care workforce during a public health emergency declared by the Secretary under section 319 of this Act, a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, an emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or a national emergency declared by the President under the National Emergencies Act; and

''(5) describe how the program established under this section will be implemented in a manner consistent with, and in furtherance of, the assessments and goals for workforce and training described in the review conducted by the Secretary under section 2812(b)(2).

''(e) CONTRACTS FOR CERTAIN PARTICIPATING INDIVIDUALS.—An individual who is participating in the emergency service program under this section shall receive loan repayments in an amount up to 50 percent (as determined by the Secretary) of the highest new award made for the year under the National Health Service Corps Loan Repayment Program pursuant to a contract entered into at the same time under section 338B(g), in a manner similar to the manner in which payments are made under such section, pursuant to the terms of a contract between the Secretary and such individual. The Secretary shall establish a system of contracting for purposes of this subsection which shall be similar to the contract requirements and terms under subsections (c), (d), and (f) of section 338B. Amounts received by an individual under this subsection shall be in addition to any amounts received by an individual described in subsection (b)(2) pursuant to the Scholarship Program under section 338A or the Loan Repayment Program under section 338B, as applicable.

''(f) BREACH OF CONTRACT, TERMINATION, WAIVER, AND SUSPENSION.—

''(1) RECOVERY OF AMOUNTS IN THE EVENT OF A BREACH.—If an individual breaches the written contract of the individual under subsection (e) by failing either to begin such individual's service obligation in accordance with such contract or to complete such service obligation, the United States shall be entitled to recover from the individual an amount equal to the sum of—

''(A) the total of the amounts paid by the United States under such contract on behalf of the individual for any period of such service not served;

''(B) an amount equal to the product of the number of months of service that were not completed by the individual, multiplied by $3,750; and

''(C) the interest on the amounts described in subparagraphs (A) and (B), at the maximum legal prevailing rate, as determined by the Treasurer of the United States, from the date of the breach.

''(2) TERMINATION OF CONTRACT.—The Secretary may terminate a contract under subsection (e) in accordance with the termination standards that are—

''(A) applicable to contracts entered into under section 338B; and

''(B) in effect in the fiscal year in which such contract was entered.

''(3) WAIVER OR SUSPENSION OF OBLIGATION.—If an individual participating in the program under this section submits a written request to the Secretary, the Secretary may waive or suspend a service or payment obligation arising under this subsection or a contract under subsection (e), in whole or in part, in accordance with the standards set forth in section 62.12 of title 42, Code of Federal Regulations (or any successor regulations).

''(g) REPORT.—Not later than 4 years after the date of enactment of this section, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that evaluates the demonstration project established under this section, including—

''(1) the effects of such program on health care access in underserved areas and health professional shortage areas and on public health emergency response capacity;

''(2) the effects of such program on the health care provider workforce pipeline, including any impact on the fields or specialties pursued by students in approved graduate training programs in medicine, osteopathic medicine, dentistry, behavioral and mental health, or other health profession;

''(3) the impact of such program on the enrollment, participation, and completion of requirements in the underlying scholarship and loan repayment programs of the National Health Service Corps;

''(4) the effects of such program on the National Disaster Medical System's response capability, readiness, and workforce strength; and

''(5) recommendations for improving the demonstration project described in this section, and any other considerations as the Secretary determines appropriate.''.

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

S. 865. A bill to amend the Sarbanes-Oxley Act of 2002 to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Madam President, the Public Company Accounting Oversight Board, PCAOB, Enforcement Transparency Act, which I am reintroducing today with Senator GRASSLEY, will bring needed transparency to the disciplinary proceedings the PCAOB has brought against auditors and audit firms earlier in the process.

Nearly two decades ago, in response to a series of massive financial reporting frauds, including those involving Enron and WorldCom, the Senate Banking Committee held multiple hearings, which produced consensus on various underlying causes, including weak corporate governance, a lack of accountability, and inadequate oversight of accountants charged with auditing public companies' financial statements. Later, in a 99-to-0 vote, the Senate passed the Sarbanes-Oxley Act of 2002 to address the structural weaknesses revealed by the hearings. Among its many provisions, this law called for the creation of an independent board, the PCAOB, responsible for overseeing auditors of public companies in order to protect investors who rely on independent audit reports on the financial statements of public companies.

Today, the PCAOB, under the oversight of the U.S. Securities and Exchange Commissions, SEC, oversees nearly 1,700 registered accounting firms, as well as the audit partners and staff who contribute to a firm's work on each audit. The Board's ability to begin proceedings that can determine whether there have been violations of its auditing standards or rules of professional practice is a crucial component of its oversight. However, unlike other oversight bodies, the Board's disciplinary proceedings cannot be made public without consent from the parties involved. Of course, parties subject to disciplinary proceedings have no incentive to consent to publicizing their alleged wrongdoing, and these proceedings typically remain cloaked behind a veil of secrecy. In addition, the Board cannot publicize the results of its disciplinary proceedings until after the appeals process has been completely exhausted, which can often take several years.

This lack of transparency invites abuse and undermines the congressional intent behind the PCAOB, which was to shine a bright light on auditing firms and practices, deter misconduct, and bolster the accountability of auditors of public companies to the investing public.

Our bill will restore transparency by making hearings by the PCAOB and all related notices, orders, and notices, orders and motions transparent and available to the public unless otherwise ordered by the Board. This would more closely align the PCAOB's procedures with those of the SEC for analogous matters.

Increasing transparency and accountability of audit firms subject to PCAOB disciplinary proceedings bolsters investor confidence in our financial markets and better protects companies from problematic auditors. I hope our colleagues will join Senator GRASSLEY and me in supporting this legislation to enhance transparency in the PCAOB's enforcement process.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 114—URGING THE GOVERNMENT OF THAILAND TO PROTECT AND UPHOLD DEMOCRACY, HUMAN RIGHTS, THE RULE OF LAW, AND RIGHTS TO FREEDOM OF PEACEFUL ASSEMBLY AND FREEDOM OF EXPRESSION, AND FOR OTHER PURPOSES

Mr. MARKEY (for himself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 114

Whereas the Kingdom of Thailand (once commonly known as the ''Kingdom of Siam'') and the United States of America first established relations in 1818, and entered into the Treaty of Amity and Commerce, signed on March 20, 1833, which formalized diplomatic relations between the 2 countries;

Whereas Thailand was the first treaty ally of the United States in the Asia-Pacific region, has a relationship with the United States that is built upon a commitment to universal values, and remains a steadfast friend of the United States;

Whereas through the Southeast Asia Collective Defense Treaty, done at Manila September 8, 1954 (commonly known as the ''Manila Pact''), the United States and Thailand expressed a joint desire to ''strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law'';

Whereas in 1962, the United States and Thailand signed the Thanat-Rusk communiqué, through which the United States pledged to provide assistance to Thailand if it faced aggression by neighboring nations;

Whereas, through the Treaty of Amity and Economic Relations Between the Kingdom of Thailand and the United States of America, done at Bangkok May 29, 1966, along with a diverse and growing trading relationship, the United States and Thailand have developed strong economic ties;

Whereas the United States recognizes Thailand as a founding member of the Association of Southeast Asian Nations (commonly known as ''ASEAN'');

Whereas on November 12, 2022 President Joseph R. Biden and the ASEAN leaders elevated United States-ASEAN relations to a Comprehensive Strategic Partnership to open new areas of cooperation vital to the future prosperity and security of the United States and ASEAN member nations;

Whereas Thailand successfully served as host for the Asia-Pacific Economic Cooperation forum in 2022—

(1) to revitalize economic recovery;

(2) to restore connectivity following disruptions from the COVID–19 pandemic; and

(3) to integrate inclusivity and sustainability objectives in tandem with economic goals;

Whereas Thailand was designated a major non-NATO ally in 2003, and is one of the strongest security partners of the United States, a relationship reaffirmed by the Joint Vision Statement 2020 for the U.S.–Thai Defense Alliance;

Whereas the Government of Thailand and the Government of the United States hold numerous joint military exercises, including Cobra Gold, the largest annual multinational military exercise in the Indo-Pacific region, which is hosted by Thailand;

Whereas the Government of Thailand continues to be a partner on humanitarian and refugee assistance, including in multinational relief efforts following the 2004 Indian Ocean tsunami and 2015 Nepal earthquake;

Whereas Thailand ended its absolute monarchy and transitioned to a constitutional monarchy in 1932, and has since revised its constitution 19 times, including its 1997 Constitution, which enshrined democratically elected representatives in a bicameral national assembly and the prime minister as head of government;

Whereas on May 22, 2014, the Royal Thai Armed Forces launched a coup d'état through which it repealed the 2007 Constitution, declared martial law, and replaced the civilian government with a military junta, known as the National Council for Peace and Order (referred to in this preamble as the ''NCPO''), which was led by Army Commander-in-Chief Prayuth Chan-ocha;

Whereas on March 29, 2016, the NCPO unveiled a draft constitution and on August 7, 2016, the NCPO held a deeply flawed referendum on the new constitution, which was intended to legitimize the document;

Whereas the 2016 referendum was marred by widespread violations of rights to freedom of expression, association, and peaceful assembly;

Whereas the NCPO ignored numerous calls from the United Nations and foreign governments to respect people's rights to freely express their views on the draft constitution, and sharply curtailed freedoms in the lead-up to the constitutional referendum, prosecuting journalists and critics of the draft constitution, censoring the media, and preventing public gatherings of more than five people;

Whereas the new Constitution, which was ratified on April 6, 2017—

(1) entrenched Thai military power at the expense of civilian political control;

(2) obligated subsequent governments and members of parliament to adhere to a junta-issued ''20-year reform plan'';

(3) contains provisions weakening the 500-member lower house and reserving 250 seats in the Senate for NCPO-appointed senators and NCPO leaders, including the top leadership of the military and police; and

(4) gives outsize power to unelected junta-selected senators to choose subsequent prime ministers;

Whereas, in March 2019, Thailand held elections that—

(1) several independent monitoring groups, citing both procedural and systemic problems, declared to be not fully free and fair and heavily tilted to favor the military junta; and

(2) resulted in the NCPO's political party, headed by Prayuth Chan-ocha, forming a new government and appointing Prayuth as prime minister;

Whereas, in January 2020, the opposition political party Future Forward was dissolved and banned on order of Thailand's Constitutional Court following a flawed legal process premised on spurious charges;

Whereas the Constitutional Court also ruled that Prime Minister Prayuth Chan-ocha did not violate a constitutional provision limiting him to 8 years in office, despite having remained in power since the August 2014 coup d'état;

Whereas the Government of Thailand has not made progress in its investigation of violent attacks against some democracy activists and the forced disappearances and killings of Thai political dissidents across Asia.

Whereas in February 2023, the Government of Thailand again delayed key anti-torture legislation, which, although flawed, would help to both clarify the criminalization of torture and to prevent torture;

Whereas, since February 2020, tens of thousands of protesters across Thailand, composed primarily of students and youth, have peacefully called for democratically elected government, constitutional reform, and respect for human rights;

Whereas the Government of Thailand responded to these largely peaceful protests with repressive measures, including intimidation tactics, excessive use of force during protests, surveillance, harassment, arrests, violence, and imprisonment;

Whereas between 2020 and 2023, authorities of the Government of Thailand have filed criminal proceedings against more than 1,800 activists for participating in mass demonstrations and expressing their opinions, including more than 280 children, 41 of whom were younger than 15 years of age;

Whereas reports published in July 2022 by nongovernmental organizations found that Thai authorities used Pegasus spyware against at least 30 pro-democracy activists and individuals who called for reforms to the monarchy and against academics and human rights defenders who have publicly criticized the Government of Thailand; and

Whereas the Government of Thailand continues to consider the Draft Act on the Operation of Not-for-Profit Organizations, which, if enacted—

(1) will represent one of the most restrictive laws against nonprofit organizations in Asia; and

(2) will have an irreversible effect on civil society in Thailand and across the Southeast Asia region generally: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the strong relationship between the United States and Thailand, a relationship based on shared democratic values and strategic interests;

(2) is in solidarity with the people of Thailand in their quest for a democratically elected government, political reforms, long-term peace, and respect for established international human rights standards;

(3) urges the Government of Thailand to protect and uphold democracy, human rights, the rule of law, and rights to freedom of peaceful assembly, freedom of expression, and privacy;

(4) urges the Government of Thailand to create conditions for credible and fair elections in May 2023, including by—

(A) enabling opposition parties and political leaders to carry out their activities without undue interference from state authorities;

(B) enabling media, journalists, and members of civil society to exercise freedoms of expression, peaceful assembly, and association, without repercussion and fear of prosecution; and

(C) ensuring that the tallying of votes is fair and transparent;

(5) urges the Government of Thailand to immediately and unconditionally release and drop charges against political activists and refrain from harassing, intimidating, or persecuting those engaged in peaceful protests and civic activity more broadly, with particular care for the rights and well-being of children and students;

(6) calls on the Government of Thailand to drop consideration of the Draft Act on the Operation of Not-for-Profit Organizations and reform other laws and regulations undermining free expression and access to information;

(7) urges the Government of Thailand to investigate and end spyware attacks that have targeted academics, human rights defenders, and key members of various pro-democracy groups;

(8) calls on the Government of Thailand to repeal and cease the promulgation of laws and decrees that are used to censor online

content and speech related to the electoral process, including Thailand's—

(A) overbroad and vague lèse majesté law;

(B) Computer-Related Crime Act; and

(C) overbroad sedition laws;

(9) communicates to the Government of Thailand that continuing violations of the rights of the people of Thailand to peacefully and democratically determine their future will make it impossible for the United States to recognize the next general election as free and fair, regardless of outcome; and

(10) unequivocally states that direct or indirect military or royal intervention before, during, or after the general election would—

(A) profoundly undermine bilateral relations between the United States and Thailand; and

(B) endanger economic and security assistance to Thailand and regional and economic cooperation.

SENATE RESOLUTION 115—SUPPORTING THE GOALS AND IDEALS OF ''COUNTERING INTERNATIONAL PARENTAL CHILD ABDUCTION MONTH'' AND EXPRESSING THE SENSE OF THE SENATE THAT CONGRESS SHOULD RAISE AWARENESS OF THE HARM CAUSED BY INTERNATIONAL PARENTAL CHILD ABDUCTION

Mr. TILLIS (for himself, Mrs. FEINSTEIN, Mr. CORNYN, Mr. BLUMENTHAL, Mr. CRAPO, Mr. BOOKER, Mr. GRASSLEY, Mr. KAINE, Mr. RUBIO, Ms. KLOBUCHAR, Mr. TUBERVILLE, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 115

Whereas thousands of children have been abducted from the United States by parents, separating those children from their parents who remain in the United States;

Whereas it is illegal under section 1204 of title 18, United States Code, to remove, or attempt to remove, a child from the United States or to retain a child (who has been in the United States) outside of the United States with the intent to obstruct the lawful exercise of parental rights;

Whereas 9,816 children were reported abducted from the United States between 2010 and 2020;

Whereas, during 2021, 1 or more cases of international parental child abduction involving children who are citizens of the United States were identified in 102 countries around the world;

Whereas the United States is a party to the Convention on the Civil Aspects of International Child Abduction, done at The Hague, October 25, 1980 (TIAS 11670) (referred to in this preamble as the ''Hague Convention on Abduction''), which—

(1) supports the prompt return of wrongly removed or retained children; and

(2) calls for all participating parties to respect parental custody rights;

Whereas the majority of children who were abducted from the United States have yet to be reunited with their custodial parents;

Whereas, between 2015 and 2022, Argentina, Austria, the Bahamas, Belize, Brazil, China, Colombia, Costa Rica, the Dominican Republic, Ecuador, Egypt, Guatemala, Honduras, India, Japan, Jordan, Lebanon, Morocco, Nicaragua, Oman, Pakistan, Panama, Peru, Poland, the Republic of Korea, Romania, Saudi Arabia, Slovakia, Trinidad and Tobago, Tunisia, and the United Arab Emirates were identified pursuant to the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.) as engaging in a pattern of noncompliance (as defined in section 3 of such Act (22 U.S.C. 9101));

Whereas the Supreme Court of the United States has recognized that family abduction—

(1) is a form of child abuse with potentially ''devastating consequences for a child'', which may include negative impacts on the physical and mental well-being of the child; and

(2) may cause a child to ''experience a loss of community and stability, leading to loneliness, anger, and fear of abandonment'';

Whereas, according to the 2010 Report on Compliance with the Hague Convention on the Civil Aspects of International Child Abduction by the Department of State, an abducted child is at risk of significant short- and long-term problems, including ''anxiety, eating problems, nightmares, mood swings, sleep disturbances, [and] aggressive behavior'';

Whereas international parental child abduction has devastating emotional consequences for the child and for the parent from whom the child is separated;

Whereas the United States has a history of promoting child welfare through institutions including—

(1) the Children's Bureau of the Administration for Children and Families of the Department of Health and Human Services; and

(2) the Office of Children's Issues of the Bureau of Consular Affairs of the Department of State;

Whereas the Coalition to End International Parental Child Abduction, through dedicated advocacy and regular testimony, has highlighted the importance of this issue to Congress and called on successive administrations to take concerted action to stop international parental child abduction and repatriate kidnapped United States children;

Whereas Congress has signaled a commitment to ending international parental child abduction by enacting—

(1) the International Child Abduction Remedies Act (22 U.S.C. 9001 et seq.);

(2) the International Parental Kidnapping Crime Act of 1993 (Public Law 103–173), which enacted section 1204 of title 18, United States Code; and

(3) the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.);

Whereas the Senate adopted Senate Resolution 543, 112th Congress, agreed to on December 4, 2012, condemning the international abduction of children;

Whereas the Senate adopted Senate Resolution 431, 115th Congress, agreed to on April 19, 2018, to raise awareness of, and opposition to, international parental child abduction;

Whereas the Senate adopted Senate Resolution 23, 116th Congress, agreed to on April 11, 2019, to raise awareness of the harm caused by international parental child abduction;

Whereas the Senate adopted Senate Resolution 568, 117th Congress, agreed to on July 21, 2022, to raise awareness of the harm caused by international parental child abduction;

Whereas Congress calls upon the Department of State to fully utilize the tools available under the Sean and David Goldman International Child Abduction Prevention and Return Act of 2014 (22 U.S.C. 9101 et seq.) to negotiate, and make publicly available, bilateral agreements or memorandums of understanding—

(1) with countries not parties to the Hague Convention on Abduction to resolve abduction and access cases; and

(2) regarding open abduction and access cases predating the Hague Convention on Abduction with countries that have thereafter become parties to the Hague Convention on Abduction;

Whereas all 50 States and the District of Columbia have enacted laws criminalizing parental kidnapping;

Whereas, in 2021, the Prevention Branch of the Office of Children's Issues of the Department of State—

(1) fielded more than 4,800 inquiries from the general public relating to preventing a child from being removed from the United States; and

(2) enrolled more than 3,900 children in the Children's Passport Issuance Alert Program, which—

(A) is one of the most important tools of the Department of State for preventing international parental child abduction; and

(B) allows the Office of Children's Issues to contact the enrolling parent or legal guardian to verify whether the parental consent requirement has been met when a passport application has been submitted for an enrolled child;

Whereas the Department of State cannot track the ultimate destination of a child through the use of the passport issued by the Department of State if the child is transported to a third country after departing from the United States;

Whereas a child who is a citizen of the United States may have another nationality and may travel using a passport issued by another country, which—

(1) increases the difficulty of determining the whereabouts of the child; and

(2) makes efforts to prevent abduction more critical;

Whereas, during 2021, 147 children were returned to the United States, and an additional 126 abduction cases, involving 163 children, were resolved without the children being returned to the United States; and

Whereas, in 2021, the Department of Homeland Security, in coordination with the Prevention Branch of the Office of Children's Issues of the Department of State, enrolled 261 children in the Prevent Abduction Program, which is aimed at preventing international parental child abduction through coordination with the U.S. Customs and Border Patrol officers at the airport, seaport, or land border ports of entry by intercepting the child before departure: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and observes ''Countering International Parental Child Abduction Month'' during the period beginning on April 1, 2023, and ending on April 30, 2023, to raise awareness of, and opposition to, international parental child abduction; and

(2) urges the United States to continue playing a leadership role in raising awareness about the devastating impacts of international parental child abduction by educating the public about the negative emotional, psychological, and physical consequences to children and parents victimized by international parental child abduction.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force against Iraq; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill S. 316, to repeal the authorizations for use of military force

against Iraq; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the ''Repealing Outdated Authorizations for Use of Military Force in Iraq and Replacing Them with Modern and Tailored Authorities Resolution of 2023''.

SEC. 2. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 1991.

The Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1; 105 Stat. 3; 50 U.S.C. 1541 note) is hereby repealed.

SEC. 3. REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.

The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

SEC. 4. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES TO DEFEND UNITED STATES GOVERNMENT PERSONNEL AND FACILITIES AND TO COUNTER TERRORIST THREATS IN IRAQ.

(a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—

(1) defend the national security of the United States against the continuing threat posed by international terrorist organizations and sponsors of international terrorism operating in Iraq; and

(2) prevent and respond to future attacks against United States Government personnel and facilities by international terrorist organizations and sponsors of international terrorism operating in Iraq.

(b) PRESIDENTIAL DETERMINATION.—In connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) reliance by the United States on further diplomatic or other peaceful means alone will not adequately protect the national security of the United States against the continuing threat posed by international terrorist organizations and sponsors of international terrorism operating in Iraq; and

(2) acting pursuant to this joint resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorist and terrorist organizations.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 5. REPORTS TO CONGRESS.

(a) REPORTS.—The President shall, at least once every 60 days, submit to the Congress a report on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted in section 4 and the status of planning for efforts that are expected to be required after such actions are completed.

(b) SINGLE CONSOLIDATED REPORT.—To the extent that the submission of any report described in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of the War Powers Resolution (Public Law 93–148), all such reports may be submitted as a single consolidated report to Congress.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BOOKER. Madam President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Thursday, March 16, 2023, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, March 16, 2023, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, March 16, 2023, at 10:10 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Thursday, March 16, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, March 16, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, March 16, 2023, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. KAINE. Madam President, I ask unanimous consent that my legislative fellows, Kylie Garber, Kristina Koch, and Kumhee Ro, be granted floor privileges for the duration of their fellowships with my office.

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

Mr. MENENDEZ. Madam President, I ask unanimous consent that Joshua Kretman, a detailee from the State Department to the Foreign Relations Committee, be granted floor privileges for the duration of the 118th Congress.

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

MEASURES READ THE FIRST TIME EN BLOC—S. 870, H.R. 502, and H.R. 815

Mr. BROWN. Mr. President, I understand there are three bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The senior assistant legislative clerk read as follows:

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

A bill (H.R. 502) to amend title 38, United States Code, to ensure that the Secretary of Veterans Affairs repays members of the Armed Forces for certain contributions made by such members towards Post-9/11 Educational Assistance, and for other purposes.

A bill (H.R. 815) to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes.

Mr. BROWN. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read a second time, en bloc, on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appoints the following Senators as members of the United States Senate Caucus on International Narcotics Control: the Honorable SHELDON WHITEHOUSE of Rhode Island (Chairman); the Honorable RICHARD BLUMENTHAL of Connecticut; the Honorable MARGARET WOOD HASSAN of New Hampshire; and the Honorable BEN RAY LUJÁN of New Mexico.

ORDERS FOR FRIDAY, MARCH 17, 2023, AND TUESDAY, MARCH 21, 2023

Mr. BROWN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned to convene for a pro forma session, with no business being conducted, at 8:45 a.m. on Friday, March 17, and when the Senate adjourns on Friday, it stand adjourned until 3 p.m. on Tuesday, March 21; that, on Tuesday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day and morning business be closed; that following the conclusion of morning business, the Senate resume consideration of the motion

to proceed to Calendar No. 25, S. 316, postcloture; further, that the postcloture debate time on the motion to proceed be considered expired at 5:30 p.m.

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

ORDER FOR ADJOURNMENT

Mr. BROWN. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senator CANTWELL.

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

The Senator from Washington.

ABORTION

Ms. CANTWELL. Mr. President, I come to the floor this afternoon to talk about a court decision that is likely to come down anytime now that could be an attack on abortion rights and access to healthcare across the country. This is an important issue affecting the removal of access to mifepristone, a drug that can lead to a termination of a pregnancy but in the comfort of someone's home. The latest is an example of a radical court in Texas trying to further restrict access to safe and legal medication for abortion, which has been safely used by millions of women over the past 22 years. Since Roe v. Wade was overturned last summer, abortion patients and providers across the country have faced a growing challenge, misinformation, threats, and inability to get reproductive care—even in States like mine where abortion is still legal.

Last week, I and Senator MURRAY met with abortion providers in Seattle who told me about the growing fear and confusion among patients since Roe has been overturned. The medical director at a clinic told me, in the past 9 months, it has become routine for patients to ask whether it is OK to even talk about abortions in the exam room. Patients have been more hesitant to say where they live in fear of legal retaliation. Mind you, this is in a State where the people in the State voted to have abortion rights protected in a vote in 1991. This assault on women's reproductive health is already having an impact on women, even keeping them from talking about their options with their healthcare providers.

Anti-abortion extremists are now turning their attention to Medicaid abortion. Nearly a quarter of a century ago, the FDA approved mifepristone, a drug that is safer, in some people's minds, it says, than Tylenol. Today, more than half of all abortions and procedures in the United States, including 55 percent of those in the State of Washington, are performed through this medication.

This drug is not only safe and legal to use, but it also makes abortion more accessible, but we know that this access could be threatened through areas like telehealth, where a patient doesn't have to travel long distances to see a provider. The access is important for Planned Parenthood clinics. The medical director of Planned Parenthood told me a story of a patient who traveled thousands of miles from her home State to Washington to get abortion care. She couldn't afford a hotel room, so she stayed with a friend, and the patient had to take off time from work to make this trip. After all this effort, the woman had a miscarriage while waiting in the waiting room.

People shouldn't have to travel all the way across the country just for the kind of healthcare they deserve. This is why the court case on Medicaid abortion is so dangerous. Should one judge in Texas decide to overturn the FDA's approval of this safe drug from more than two decades ago, it would effectively ban the drug on a nationwide basis.

The kinds of things that are already happening to intimidate or not provide this in the pharmacies in our State are alarming. This ruling would mean that every State, including those like mine that have already expressed their opinion with the codification of Roe v. Wade, could have some of its healthcare denied. The ruling would mean that in Washington State, where abortion has expressly been under our State law for more than 30 years, a person who needs or elects to terminate their pregnancy could no longer safely do it at their home if they can't get access to this drug.

Indeed, we will continue to fight for these issues. We want women in America to have access.

This judge's decision in Texas could cost people in our State. It could cost them time to travel, cost them time of healthcare, and certainly we are seeing an uptick in the number of people coming to Washington to get access to care.

We are also seeing people upping the ante in places like Spokane, where they are trying to publicly humiliate people coming to clinics by protesting. This is not a way to run healthcare. And we can't have a judge in Texas deciding what FDA and scientists nearly a quarter of a century ago said was a safe procedure.

We know that this is depriving women even in States where their rights are guaranteed. It is impacting their access to safe and legal abortions. There is a reason why we have an FDA and the science, and we need to continue to listen to them.

Let's be clear. We are not going to let a decision like this go unchallenged. People will not stop getting pregnant. And if this one judge decides to substitute his opinion for the FDA's, women will continue to look for this drug, and they will look for safe options.

I hope we can continue to educate people on how this is affecting people in States that have already voted by law to protect a woman's right to choose. This is eroding our rights, it is impacting our providers, and it is basically telling young women that we are not sure if you are going to be able to get access to this drug.

I hope the courts will not go down this errant path, and I hope that we here will get our colleagues on the other side of the aisle to vote with us to clarify and protect a woman's right to choose at the Federal level.

I yield the floor.

ADJOURNMENT UNTIL 8:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 8:45 a.m. tomorrow.

Thereupon, the Senate, at 3:34 p.m., adjourned until Friday, March 17, 2023, at 8:45 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate March 16, 2023:

THE JUDICIARY

JESSICA G. L. CLARKE, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.