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## Senate

The Senate met at 10 a.m. and was called to order by the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado.

### PRAYER

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

Let us pray.

Our Father in Heaven, in whom we live and move and have our being, we glorify Your precious Name.

Lord, we ask You to guide our law-makers as they influence the future of this Nation and world. Lead them with Your wisdom. Direct them with Your patience and protect them with Your power.

Lord, we pray that our Senators will faithfully fulfill the duties set before them, providing for the common defense, striving to bring domestic tranquility, and working to ensure liberty and justice for all.

Likewise, we pray that You would lead and bless American citizens, guiding them to protect liberty from sea to shining sea.

We pray in Your righteous Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, September 20, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN W. HICKENLOOPER, a Senator from the State of Colorado, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

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

### RESERVATION OF LEADER TIME

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

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Florence Y. Pan, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

### RECOGNITION OF THE MINORITY LEADER

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

### IMMIGRATION

Mr. MCCONNELL. Mr. President, our overwhelmed Customs and Border Protection personnel have already encountered more than 2 million illegal immi-

grants and counting just this fiscal year.

This is a larger group of people than the entire populations of 14 States, and this record-shattering 2 million apprehensions only counts the subset of people who were actually caught. Experts estimate hundreds of thousands more people on top of that number who simply got away.

The latest reports say that CBP encountered more than 200,000 people just in the month of August alone, and more than 20 percent of those people were not first-time border crossers but rather repeat offenders who had already previously been expelled or deported; tens of thousands of individuals who had already been thrown out, flooding back in every single month.

Orderly, legal immigration is part of what makes America strong; anarchy and open borders make us weak.

There is nothing compassionate or humane about the border crisis that Democrats' mixed signals and failed policies have unleashed.

It is not fair to American citizens; it is not fair to law enforcement; and it is not fair to the people who have been encouraged to undertake desperate and dangerous journeys by years of Democrats signaling to the world that there are no real consequences for breaking our laws and cutting in line.

Vice President HARRIS says "the border is secure." The American people know better, and they are furious. Illegal immigrants know better as well.

For years, Washington Democrats have attacked Republicans for calling for basic border security and law enforcement. The Democratic Party line throughout the last 5 years has been that enforcing existing immigration law would be cruel and securing our borders would be xenophobic, but over the last few days, some liberals seem to have changed their tune.

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



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Out of desperation, a few Governors along our southern border are now giving some Democrat-run States and cities just a tiny, tiny taste of what border communities have been enduring, literally, for years.

According to the Washington Post, the total number of individuals whom Texas and Arizona have helped relocate to New York, Washington, and other places in recent months is roughly on the order of the number of illegal immigrants who arrive at our southern border in a single day—1 day.

All those cities combined have had months to accept, between them, approximately 1 day's share of our Nation's illegal immigration.

But the Democratic mayor of New York City is now declaring that his government's resources are "at a breaking point"—at a breaking point.

According to the Post, these border States have sent to New York City less than 1 day's worth of illegal crossers, spread out over more than a month, and the self-proclaimed sanctuary city apparently cannot take it.

The Governor of Florida helped a tiny number of illegal immigrants, about four dozen, secure transportation to the wealthy liberal destination of Martha's Vineyard, filled with millionaires' mansions, which appointed itself a so-called sanctuary destination back in 2017.

Apparently, this sanctuary destination tolerated, fed, and housed the newcomers for less than 48 hours before having the National Guard promptly put them on a ferry and remove them to a military base instead.

Democrats, liberal activists, and the media are, predictably, melting down. There are absurd accusations flying around that it is somehow evil or illegal for Republican officials to help illegal immigrants move within our country. That would be breaking news because, of course, the Biden administration has been flying and busing illegal immigrants around the country on a regular basis.

According to one report from early 2021, the Biden administration was already filling Greyhound buses with people turning up at our border and driving them to various destinations from the South to the Midwest to the Northeast. Ah, but it was never to Martha's Vineyard.

So these well-to-do blue enclaves are finally witnessing the smallest fraction of the challenges that open borders have enforced on working-class communities all across our country.

#### INFLATION

Mr. President, now on another matter, Washington Democrats' runaway inflation has caused a nationwide crisis. It has put working families and small businesses in a bind from coast to coast.

Since President Biden took office, inflation has shot up a staggering 13.2 percent. For the average American household, this translates to hundreds and hundreds of extra dollars every

month, working overtime just to barely—barely—tread water.

In my home State of Kentucky, for example, the Democrats' inflation has forced proud, hard-working families to ask for help putting food on the table; in some cases, for the first time in their lives.

The director of the Jessamine County Food Pantry in Nicholasville says:

Our numbers here are going up like crazy. . . . We have problems actually getting food now. We're actually not giving away as much as we were just a couple months ago because I can't find it, and I can't afford it sometimes when I can find it.

And, of course, these challenges aren't limited to the Commonwealth.

In Clifton, CO, the director of one local food bank reports that she had served 1,000 more families in the first half of this year than in the first half of last year. Here is her quote:

They cannot short their rent bill, but they can short their grocery bill. And so they come here so I can fill the gap.

In coastal Georgia, the director of a network of food banks says distribution at her facilities had increased 38 percent from July to August. Meeting the increased demand has meant stomach-aching steep spikes in meat and dairy prices.

In Concord, NH, the director of the Friendly Kitchen says no one is ever turned away, but more and more people keep showing up for dinner.

I'm nervous it's going to get worse. I think it's going to get worse before it gets better.

Washington Democrats' inflation is absolutely hammering States like Colorado, Georgia, and New Hampshire. And Senate Republicans—we tried to stop it. We warned against inflation. We tried to block their \$2 trillion inflationary bill. We offered amendments. But all three of those States have two Senators who both voted in lockstep on party lines to ram through trillions—trillions—of dollars. One hundred percent of the U.S. Senators from those States voted to bring this on.

This is what happens when Washington Democrats put their own priorities ahead of our people.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

#### KIGALI AMENDMENT

Mr. SCHUMER. Mr. President, later today, the Senate will take the first step toward ratifying an amendment to one of the most successful international environmental agreements in modern history, the Kigali Amendment to the Montreal Protocol.

Members can expect to cast the first vote on cloture later this afternoon

after the weekly party lunches. Today's vote will require 60 votes in the affirmative to move forward. And since the Kigali Amendment is part of a treaty, it will require two-thirds of the Chamber to ultimately ratify this provision.

The Kigali Amendment will be one of the most significant bipartisan measures the Senate takes on all year, and that is saying something, because we have done a lot.

It would affirm our country's intention to phase down the use of hydrofluorocarbons—commonly known as HFCs—by 85 percent over the next 15 years. Experts say this step alone could prevent half a degree Celsius of warming by the end of the 21st century. Is that incredible? Half a degree. We struggle to get there. This one measure will do it. That may not seem like much, but within the larger context of global temperature, it is really very significant.

There are two paths our country can take, depending on what we do with the Kigali Amendment. If we ratify this treaty, not only will we protect our planet, but this is an economic issue and an issue to go after China, which is a rogue nation in this regard. It will provide us a golden opportunity for American businesses to dominate in emerging business.

Every year, millions of refrigerators and AC units are sold around the world; and in the United States, many families own more than one refrigerator. That is a lot of appliances that will need HFC alternatives, which U.S. businesses, particularly, are working to prepare for. By one measure, the combined impact of ratifying the Kigali Amendment and other steps we have taken to reduce HFCs would create 150,000 new jobs and generate nearly \$39 billion in investment by 2027 as new markets open up for trade. So this, in many ways, is a pro-jobs measure, one supported by the Chamber of Commerce, by major retailers like Walmart, by the Semiconductor Industry Association, and many other business groups.

If we fail to ratify the amendment, the rest of the world is going to move on without us. Without Kigali, we are going to play second fiddle to nations like China, whose businesses will surpass ours in developing viable HFC alternatives, taking jobs that, by all rights, belong here in America. And by 2033, parties to Kigali will be prohibited—prohibited—from any trade in HFCs with non-Kigali nations. We will lose out tens of billions of dollars of sales.

There is no reason to have that happen. Ratifying Kigali will not require any change in the current U.S. law. We already have domestic policies phasing out HFCs here at home, so we are putting into practice many of the reforms the Kigali Amendment calls for, and no consumer will have to change any appliance.

So for the sake of U.S. businesses, for the sake of U.S. innovators, for the

sake of making sure China has to comply and be part of the world community and not do what they think is just good for themselves—which seems to be President Xi's way of doing things—I urge my colleagues to vote in favor of advancing the Kigali Amendment later today. It is low-hanging fruit for creating tens of thousands of good-paying jobs right here at home.

## DISCLOSE ACT

Mr. President, now on the DISCLOSE Act. Later today, President Biden will deliver remarks on one of the gravest dangers undermining our democracy—the power of dark money that has taken over our elections.

I expect the President's remarks will preview action here in the Senate, where we will have a vote this week to begin debate on the DISCLOSE Act—a bill I long promised to bring to the floor. My colleagues, led by the indefatigable and relentless and brilliant Senator WHITEHOUSE, have done a wonderful job championing this issue for years.

The DISCLOSE Act is very simple to grasp: it would require super PACs and other dark money groups to report anyone contributing \$10,000 or more during an election cycle. The same goes for any group spending any money in support of or in opposition to judicial nominees. In other words, it would require similar forms of transparency that traditional campaigns and candidates already face. We have to disclose when accepting political contributions.

And, frankly, why shouldn't this be law? What reason under Heaven is there for keeping massive political contributions hidden from the public? Even the Republican leader, who has dedicated much of his career, unfortunately, to killing many campaign finance reforms, claimed in the past to support increased disclosure; though, sadly, he is opposed to our bill today for no good reason. If you are for disclosure, you should be for our bill, and these flimsy arguments that it will deter people from giving are absurd—absurd.

If a multimillionaire wants to spend colossal sums on candidates or nominees who are deeply anti-choice or who will support anti-democracy candidates or who will harbor views deeply in conflict with the views of the general public, shouldn't the public have at least the right to know it?

The rights of voters and the health of our democracy far outweigh any interest that a multibillionaire could have in concealing political spending from public scrutiny.

So, the DISCLOSE Act will give every Senator a choice: a vote to bring transparency to our elections or stand with the forces of dark money.

Let me say that again. The DISCLOSE Act will give every Senator a choice: vote to bring transparency to our elections, remove the veil from this dark money that the public hates that is cascading into our elections or

stand on the side of dark money. Who wants to be on that side? We will see this week.

I want to take a moment to thank my colleague, Senator WHITEHOUSE, for his incredible work in championing this legislation. He is arguably the Senate's greatest champion in the fight against dark money, someone who has dedicated years to uncovering the pernicious links between dark money groups and radical judicial nominees.

Do you want to know one of the main reasons we have a "MAGA" Court that overturns *Roe v. Wade*, that stands in the way of smart gun control laws and gun safety laws, that stands in the way of environmental progress? It is because of dark money, in good part—dark money.

SHELDON WHITEHOUSE has exposed this link better than anyone I know. He has gotten the rest of us to pay attention in a deeper way to the gravity of this issue. He will come to the floor later today and throughout the week to continue highlighting this issue. And I know others will be joining to stand by his side.

I thank him for his work. I thank the President for speaking about it this afternoon. And I stand with Senator WHITEHOUSE in highlighting this issue ahead of the vote, and I urge my colleagues to support the DISCLOSE Act.

## NOMINATION OF FLORENCE Y. PAN

Mr. President, in other matters, today, the Senate will vote to confirm our sixth circuit court judge in the month of September—Judge Florence Pan—to sit on the all-important DC Circuit Court of Appeals. If confirmed, Judge Pan will make history as the first Taiwanese American ever to serve on the DC Circuit Court of Appeals, joining in the proud company of so many other Biden nominees who have expanded the diversity and experience of the Federal bench.

As we all know, the DC Circuit Court is the second-most important Federal court in the country after the Supreme Court. Before this court comes disputes that involve Congress and much of the Federal Government, so many of its decisions involve constitutional or administrative law. It goes without saying that nominees to this court must be individuals of the highest caliber. They need to be experienced, balanced, and above all, committed to the rule of law.

That is exactly what we have in Judge Pan. She has had over a decade of experience as a judge in the District of Columbia and has seen practically every legal dispute under the Sun. She is already well-known to this Chamber, having been confirmed as a district judge with 68 votes. She should be similarly confirmed with bipartisan support.

## PUERTO RICO

Mr. President, last, but certainly not least: Puerto Rico. As our fellow Americans in Puerto Rico continue to feel the wrath of Hurricane Fiona, we continue to monitor the situation here in

Congress. Over the weekend, President Biden issued an emergency disaster declaration for Puerto Rico with 75 percent of the costs of emergency medical care, disaster response, and food distribution to be covered by the Federal Government.

Yesterday, I got on the phone with the FEMA Administrator and urged FEMA to approve Puerto Rico's request to increase that figure to 100 percent and to stand ready to approve a major disaster declaration request to unlock not just response money but funding needed to recover and rebuild. On the call were my colleagues Representatives VELÁZQUEZ and ESPAILLAT, and I echoed the calls from my colleagues to ensure maximum flexibility for those applying for FEMA assistance and to get Federal funding out of the door ASAP. Puerto Rico desperately needs it.

Later this morning, I will join with the Hispanic Federation and a number of my colleagues to talk about additional steps we are calling on the Federal Government to take, including steps to strengthen Puerto Rico's electric grid. The electric grid is almost 50 years out-of-date. It is particularly susceptible to hurricanes. It hasn't even been repaired since the damage Hurricane Maria, 5 years ago, put upon it. Yet, we have given lots of Federal money for the reestablishment or the rebuilding of the grid, and very little has happened. So we need to focus on that issue as well as others.

Five years to the day after the arrival of Maria, Puerto Rico needs help to recover from Fiona. We need to make sure, this time, Puerto Rico has absolutely everything it needs as soon as possible for as long as they need it. I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

**EXPRESSING THE SENSE OF THE SENATE THAT VIOLENCE AND THREATS OF VIOLENCE AGAINST THE EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION ARE UNACCEPTABLE AND SHOULD BE CONDEMNED**

Mr. DURBIN. Mr. President, I rise today to condemn the violence and threats of violence against the men and women of the Federal Bureau of Investigation.

I take these threats seriously. This July 1, I chaired the Judiciary Committee hearing on law enforcement officer safety and the threats our law enforcement officers are facing. I have repeatedly made clear that violence against law enforcement is never—never—acceptable no matter what ideology motivates it, but here is the reality.

In the past month, following the FBI's execution of a search warrant at Donald Trump's Mar-a-Lago resort, the FBI has faced a flood of threats against its employees and its facilities, and these threats have been egged on by the former President and his allies.

The men and women of the Federal Bureau of Investigation literally put their lives on the line every day to keep all of us safe. They put themselves in harm's way to stop armed criminals, drug traffickers, terrorist organizations, and others who threaten our communities. They serve on the frontlines of the opioid epidemic and investigate and hold accountable those who traffic illegal opioids and who illegally prescribe pharmaceutical opioids. They investigate crimes against children and human trafficking—some of the most heinous crimes imaginable. They work day in and day out to combat international and domestic terrorism, and they carry out judicially issued search warrants every day. That is part of their job and an important role that they play in our justice system.

Unfortunately, ever since the August 8 Mar-a-Lago search, their dedication has been repaid with a flood of baseless attacks and violent threats. Attacking the FBI for his own political advantage is nothing new for the former President, but the attacks haven't stopped with him. His allies and followers have spewed anti-FBI vitriol online and across the airwaves. In recent weeks, there have been calls from Republican Members of Congress to "destroy" and "defund" the FBI. There have been calls from Republican congressional candidates to "gut" the FBI "like a fish" and "shoot FBI, IRS, ATF, and all other feds on sight." So it is no surprise that such outrageous and irresponsible rhetoric coincides with a stunning increase in violent threats against the FBI.

Last month, the FBI and the Department of Homeland Security issued a joint intelligence bulletin detailing an increase in violent threats and acts of violence against Federal law enforcement officials following the August 8 Mar-a-Lago search. These include threats to place a "dirty bomb" outside of the FBI headquarters and online calls for civil war and armed rebellion.

On August 11, a man wearing body armor—armed with an AR-15 assault rifle and a nail gun—attempted to breach the FBI's Cincinnati field office. On August 16, another man was indicted for threatening to murder everyone at the FBI, from Director Wray to the custodial staff. On August 25, a man jumped the fence at FBI's Chicago field office but, thankfully, was detained and taken to a local hospital for evaluation before he could hurt anyone.

In response to the joint intelligence bulletin and these incidents, I asked the FBI and the Department of Homeland Security to have a private briefing with Members of the Senate's Judiciary and Homeland Security and Governmental Affairs Committees last week. That briefing only added to my concern.

I cannot share the specifics from this closed-door briefing, but I will say this: It should go without saying that the

men and women of the FBI risk their lives every day on our behalf, but the increase in threats to their personal safety since the August 8 Mar-a-Lago search warrant is shocking. Beyond the direct threats and violence, there are also rising concerns about the public spread of personal information about the FBI's employees and families—a practice known as doxing. I fear the situation may get worse.

Last Thursday, former President Trump kept up his threatening rhetoric against these law enforcement officers. He said that if he were indicted for his actions, "I think you'd have problems in this country the likes of which, perhaps, we've never seen before. I don't think the people of the United States would stand for it." That is exactly the kind of language President Trump used after he lost the 2020 election to incite the January 6 attack here at the Capitol.

As I have said many times, political violence and threats of violence in the furtherance of any cause—any cause—is unacceptable. It is time for the Senate to stand up and support the men and women of the Federal Bureau of Investigation who have been threatened and attacked for simply doing their jobs and working to protect America. Let's condemn these baseless attacks on the men and women of the FBI and the despicable political game they represent.

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 775, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 775) expressing the sense of the Senate that violence and threats of violence against the employees of the Federal Bureau of Investigation are unacceptable and should be condemned.

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

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

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

The resolution (S. Res. 775) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

Mr. DURBIN. Mr. President, this resolution which just passed without objection from any Member of the Senate will be a reminder to the men and women who serve in law enforcement, particularly in the Federal Bureau of Investigation, that we stand behind them and that those who would exploit political events at the expense of the

safety of these men and women are beyond the pale of constitutional conduct. We want to stand behind those who are standing for us—to protect us and our families.

I thank the Senate for agreeing to this resolution. It is timely; it is important; and it is clear.

#### EXECUTIVE CALENDAR—Continued

##### BORDER SECURITY

Mr. DURBIN. Mr. President, I listened to the Republican minority leader, Senator MCCONNELL, speak on the floor this morning. I have to tell you, on the issue of immigration, there are several things which he said which are not accurate and that I would like to clarify for the RECORD.

First, this morning, Senator MCCONNELL said:

Orderly, legal immigration is part of what makes America strong. Anarchy and open borders make us weak.

I don't know of any rational person who would disagree with that comment.

But I think, for the record, we should make clear that, 8 years ago, when we considered comprehensive immigration reform—a bipartisan bill—on the floor of the U.S. Senate, the Senator from Kentucky voted against it. There were 14 Republican Senators who voted for this measure. It passed the Senate. It was the product of a bipartisan Commission—a self-appointed committee, really—the so-called Gang of 8. I want to recount the names of those who were on that committee who produced a comprehensive immigration reform bill. I was on the committee with CHUCK SCHUMER, Senator BOB MENENDEZ, and the Senator from the Presiding Officer's home State of Colorado, Senator MICHAEL BENNET. On the Republican side, it was led by Senator John McCain, Senator LINDSEY GRAHAM, Senator MARCO RUBIO, and then Senator from Arizona Jeff Flake.

We worked for months. We put in all of the effort that was expected of us to address an issue which had not been addressed by Congress for 25 years, which was to try to upgrade our immigration system—to do what Senator MCCONNELL says needs to be done: orderly, legal immigration. That was what the bill sought to achieve. There were 14 Republicans who joined us in voting for it. Senator MCCONNELL did not, and we have not had another measure since then.

The bill we passed in the Senate was sent over to the Republican-controlled House of Representatives. They refused to even consider it in committee or on the floor or to bring it to a vote. We missed an opportunity, and it was an opportunity on many different levels. It would have finally addressed the issue of legal immigration in America, which is a critically important measure.

Throughout our history, without exception, year in and year out, legal immigrants have come to this country.

There have been some terrible laws passed by Congress in relation to those having been allowed in this country. The reality is we have acknowledged from the beginning of America as we know it that immigrants have been a part of our present and are a part of our future, and now we face the same reality again without the benefit of having an update in the laws, which the Republican leader voted against.

I recall specifically the work of Senator BENNET from Colorado. He did a remarkable thing, something that people didn't think was really possible. He managed to bring together all of the interest groups on the issue of legal immigration for those working in agriculture. He managed to find an agreement among all of these groups as to the humane and sensible treatment of these individuals. If that would have passed, it would have changed the circumstances we have today—circumstances wherein we do not have nearly enough legal immigrants to work in the agricultural sector of America. It is estimated that one out of two—50 percent—of all of the ag workers today are undocumented. We still eat the food that they pick and harvest, and we still take advantage of their hard work in the meat processing plants. Yet the reality is that we know, in our heart of hearts, that they are not being treated in a sensible, reasonable, humane way.

Senator BENNET, time and again, has shown leadership on this issue as he did with the Gang of 8. Once again, we find ourselves, because the bill failed in the previous Congress, without a guiding law on standards of immigration.

There were other things said by Senator MCCONNELL this morning which I want to make reference to as well, particularly as to the busing of those currently in the United States, as new, legally recognized immigrants, to various cities around the United States.

Governors from the States of Texas, Arizona, and Florida have been busing those who have been crossing the border and who are legally recognized to stay here until further hearing to communities like New York, Washington, Chicago, and even to Martha's Vineyard in Massachusetts. The thing that we have got to keep in mind is that these Governors do not call local officials first. They don't even contact the Governors of these States where they are sending these people. So they arrive, helter-skelter, in unpredictable numbers and conditions, and the local officials are expected to take care of them.

Listen to what Senator MCCONNELL had to say in describing what I have just told you.

He said:

Out of desperation, a few Governors along our southern border are now giving some Democrat-run States and cities just a tiny, tiny taste of what border communities have been enduring literally for years.

What he is trying to say to us is this is an act of political spite. It is a polit-

ical stunt by these Governors. And what are they using to make their point? Innocent people—here legally in the United States—who are being shipped off, many times, with deception and promises that will never be kept in terms of opportunities for them in these various places.

Senator MCCONNELL went on to say:

All those cities combined have had months to accept between them approximately 1 day's share of our Nation's illegal immigration.

Immigrants—about four dozen—were given secure transportation, according to Senator MCCONNELL, “to the wealthy, liberal destination of Martha's Vineyard, filled with millionaires' mansions”—so-called sanctuary destinations.

Do you see the point that is being made here? These people are being bused without any warning as to where they are going to end up—where their final destinations may be—simply to make the political point that the Democrats have to be reminded of the Republicans' position on immigration. We are doing this at the expense of many innocent people, and we are doing this in a dangerous fashion.

I will tell you that I visited the Salvation Army center in Chicago, IL, about 10 days ago, and I met with these families and individuals. Little children are involved in this calculation.

Why is it that whenever the Republicans want to make a point on immigration, it always ends up being the children who are the pawns, whether they are kids in cages or forcefully removing children from their parents or in this case, busing them off with their parents to communities they have never heard of? Why does it always involve families with small children? You would think there would be more sensitivity on the Republican side to that reality.

Then Senator MCCONNELL made a statement which I want to correct. He said the Biden administration has been flying and busing illegal immigrants around the country on a regular basis. This is not true. We checked again this morning with the Biden administration. They are not exercising that right.

What we have going on are the transfers of those who are not in legal status back and forth between various facilities and the transfers of unaccompanied children, with escorts, to places like Chicago and other cities where, for decades, they have been cared for until their legal status is resolved. But this statement that the Biden administration is guilty of busing people back and forth is not true at all. I think the record should be clarified, and I hope the Senator from Kentucky will do so when he receives the first opportunity.

The Biden administration has said: We have the authority to do it, but we have not exercised it and will not unless we confer with Congress and also notify local officials as to whether anyone will be moved.

Now, there are circumstances and have been in the past that I know of personally on the border of Texas and Mexico where people had come and been released. They found they had credible fear. They asserted it. They have legal status, and they want to go to a specific location where they have friends and family. In those cases, there is help given to them to reach those destinations. But it is not the current situation where the Governors of Florida, Texas, and Arizona are deceiving these people onto these buses and sending them to places they have never heard of and not letting those who are in their destinations even know what it coming.

What is the right thing to do? The right thing to do is what we did 8 years ago: a bipartisan approach to fixing the immigration system. Instead of exploiting it for political purposes, let's fix it.

We have done that. We passed legislation on a bipartisan basis even in this evenly divided Senate. The CHIPS bill—this important semiconductor chip production bill—was a bipartisan bill. The infrastructure bill—the biggest highway program in the history of the United States since Dwight Eisenhower—was a bipartisan bill. The gun safety bill—a controversial issue, just as controversial as immigration—we passed that on a bipartisan basis. We can do it, but we have to stop exploiting these people who are here with children. We have to do it by stopping exploiting this issue and work together on a bipartisan basis, with give on both sides. That is how we can reach a bipartisan solution.

I am ready to do that. In the Senate Judiciary Committee, we would start as soon as we have Republicans of good will willing to sit down with Democrats and work together. But continuing to exploit these people and the children and these families is just plain wrong. It is not consistent with American values. It doesn't reflect well on our Nation.

I hope that the people who are inspired to do this—the Governors in Florida, Texas, and Arizona—will think twice about these kids and their families before they try it again.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

ORDER OF BUSINESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the vote scheduled for 2:30 p.m. occur at 2:15 p.m.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER (Mr. PADILLA). The Republican whip.

Mr. THUNE. Mr. President, last Friday, President Biden said the following during his speech:

And we have a process in place to manage migrants at the border. We're working to make sure it's safe and orderly and humane.

“[S]afe and orderly and humane.”

I have to ask, has the President visited the border lately? Oh, that is right, he hasn't. In fact, other than a driveby, he hasn't. In fact, other than a driveby, he hasn't. In fact, other than a candidate for Vice President—and by “driveby,” I mean his motorcade literally drove by—the President has never visited the border. Never. Although I have to say that even reading the news should be enough to make it clear to the President the situation at the border is neither safe, nor orderly, nor humane.

In case the President isn't clear about what is happening at the border, let me just read from one news story from last week. This one was from NBC News:

A new surge of migrants . . . is overwhelming the Border Patrol and shelters in El Paso, Texas, where nearly 1,000 have been released near bus stations over the past week in hope that they will find their own way to their next destinations in the U.S.

Here is the title of another grim news article from last week: “Texas border town requests refrigerators to store migrant bodies after drownings overwhelm mortuaries.”

“Texas border town requests refrigerators to store migrant bodies after drownings overwhelm mortuaries.”

Yet another news outlet reported:

El Paso County Sheriff sounds alarm over Border Patrol overwhelmed due to migrants.

That article goes on to say:

Sheriff Richard Wiles stated Thursday, “This incident raises a law enforcement concern because Border Patrol is so overwhelmed, undocumented immigrants may be released into communities with minimal or no screening.”

Does any of this—any of this—make the situation at the border sound safe or orderly or humane? I don't think so.

The Biden administration has been characterized by recordbreaking waves of illegal immigration across our southern border, and I mean “record-breaking” quite literally.

In fiscal year 2021, U.S. Customs and Border Protection apprehended more than 1.7 million individuals attempting to cross our southern border illegally—the highest number of apprehensions ever recorded. As for fiscal year 2022, well, we exceeded last year's record-breaking number of apprehensions in June. The final count of apprehensions for fiscal year 2022 will be well over 2 million. Those numbers only count migrants who were actually apprehended. CBS News reports that there were “an estimated 660,000 successful unlawful border entries that did not end in an arrest in fiscal year 2021, according to unpublished [Department of Homeland Security] figures”—660,000.

I don't have to tell anyone except maybe congressional Democrats and the White House that these kinds of numbers have resulted in scenes of near chaos at the southern border. Shelters have been overwhelmed. Border facilities have been overwhelmed. The Border Patrol has been overwhelmed. Who can forget the scene of 10,000 migrants camped under the bridge in Del Rio, TX, last September?

Just in case anyone is thinking things at the border have substantially calmed down, here is yet another headline from this month, this one from the Dallas Morning News: “Overcrowded processing center has Border Patrol releasing more migrants on El Paso streets: Migrants are being released from facility filled at 3 times its capacity.”

That is from the Dallas Morning News—“3 times its capacity.”

Over the past few months, the Governors of Texas and Arizona have been sending some illegal immigrants to places like New York City and Washington, DC, and there has been a predictable outcry. But what is so striking about this situation is how upset these places seem to have become when dealing with just a tiny fraction of the situation that border communities and border States have to deal with on a daily basis. Washington, DC, declared a state of emergency. The New York City mayor was outraged.

While I am in no way dismissing the challenges of dealing with thousands of illegal immigrants, let me just put this situation in perspective for a minute. Washington, DC, a city of around 700,000 people, has received somewhere around 9,400 migrants over a span of 5 months. New York City, a city of around 8.4 million people, hasn't even received as many as Washington, DC. Compare that with the situation in Eagle Pass, TX, a town with a population of just 29,000, which sees 10,000 migrants a week—a week.

For a party that likes to pride itself on compassion, the lack of compassion Democrats and the White House display on this issue is really astounding. Even after catching a tiny glimpse of what it is like to deal with an influx of illegal immigration, Democrats have apparently zero compassion for the border communities in States that have to somehow manage the arrival of thousands of illegal immigrants on a daily basis, along with all the logistical and security challenges that involves.

There are real security challenges. Certainly, many of the migrants crossing our southern border illegally are simply looking for a better life—even if they are trying to circumvent legal pathways to enter—but there are also a lot of potentially dangerous individuals coming across our border and passing through border communities: gang members, drug traffickers, human smugglers, and other criminals. In 1 recent week, Border Patrol agents in the Rio Grande Valley Sector along the southern border arrested 21 gang members, 2 sex offenders, and 3 migrants with prior convictions for various crimes.

The White House and Democrats don't just display a lack of compassion for border communities; they also display a real lack of compassion for the individuals attempting to enter our country illegally. There is nothing compassionate about an immigration

policy that encourages individuals to come here illegally, with all of the risks that entails.

Earlier, I mentioned a border town that was seeking increased morgue facilities because it was dealing with the bodies of so many individuals who had drowned while attempting to enter this country. Deaths at the southern border have surged under the Biden administration, undoubtedly because the administration's lax immigration policies and obvious lack of concern about securing the border have encouraged individuals to attempt to come here illegally.

According to Department of Homeland Security numbers that have been reported, 748 migrants have died at our southern border so far this fiscal year. That is a lot of lives lost, Mr. President—a lot of lives. Mr. President, one illegal immigrant speaking to a news outlet this month said of the border:

It's open, not closed. The border is open. . . . Everybody believes that the border is open. It's open because we enter, we come in, free. No problem.

That is the message that President Biden's immigration policies have conveyed, and the longer that he continues with his de facto open-border policies, the more individuals who are going to be encouraged to attempt the dangerous journey across our southern border.

Mr. President, the massive spending package, the so-called Inflation Reduction Act, the Democrats shoved through the Senate last month contained hundreds of billions for Democrats' Green New Deal priorities, like tax credits for wealthy Americans to buy electric cars and more than \$80 billion for environmental justice priorities. There was also, of course, an \$80 billion funding infusion for the IRS, a majority of it allocated for more IRS audits and increased enforcement, including the hiring of additional IRS agents. Nowhere in that bill were there any resources for addressing the crisis that has been raging for more than a year now at our southern border.

During debate on the bill, Republicans gave Democrats five opportunities to vote for amendments aimed at providing resources to secure the border. Democrats rejected all of them. Apparently, Democrats are willing to spend a lot of time and effort and government money on their Green New Deal and finding new ways to collect taxpayer dollars to help fund their Big Government spending plans, but when it comes to protecting Americans and ensuring a humane situation at our southern border, Democrats just can't be bothered.

I heard the Democratic whip down here, just now, talking about that there just needs to be a comprehensive immigration bipartisan approach to this and blaming Republicans for them not being able to do anything to address this issue. And I just have to say that, one, the Democrats control all of government in Washington. They have

the House, the Senate, and the White House, and, to my knowledge, they have not attempted to bring an immigration reform bill to the floor of the U.S. Senate. Furthermore, the President reversed all of the policies from the previous administration that affected the border when he took office.

Now we have got a situation at our southern border that is just nothing short of appalling, and if the President really had any interest in making the process at the border “safe, orderly, and humane,” as he said the other day, he would make securing our southern border a priority, and it is not. Unfortunately, given his record so far, I think it is more likely that we will see the scenes of chaos and human suffering continue.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I ask unanimous consent to speak for up to 15 minutes prior to the scheduled roll-call vote.

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

#### INFLATION

Mrs. CAPITO. Mr. President, since the Biden administration really likes to celebrate things, I rise today on the 1-week anniversary of their party last Tuesday for their so-called Inflation Reduction Act.

Last Tuesday, most Americans and, certainly, most West Virginians weren't in a celebratory mood. West Virginians started their day with news that inflation rose to 8.3 percent in August, while President Biden and his party and climate activists began setting up for their Inflation Reduction Act party at the White House.

Meanwhile, that same day, the U.S. stock market had its worst day since June 2020, as the White House and its fellow Democrats celebrated their green spending bill that would only extend inflationary pain, but it does expand U.S. and IRS enforcement on Americans who are struggling to afford basic necessities.

Days after the nonpartisan Congressional Budget Office published an analysis that the Inflation Reduction Act would actually not reduce inflation, particularly in the short term, President Biden announces that he will do student debt cancelation that would add another trillion dollars to the deficit.

Today and tomorrow, the Federal Reserve, which is our U.S. monetary watchdog, is meeting to set new interest rates in a bid to tame inflation. The body has had to raise interest rates aggressively by three-quarters of a point. In June, Chairman Powell, who is the Chairman of the Fed, admitted that the rate increase is “unusually large” and would not be “common.” The Fed will likely raise interest rates again by the same amount tomorrow, for the third consecutive time in a row. These are the most aggressive rate increases since the 1980s, when my mortgage was

way into the teens, that Chairman Powell has plainly stated will bring “pain to households and businesses.”

We can't forget that the Democrats alone passed a bill last year that they called the American Rescue Plan, which rescued nothing and, instead, endangered our fragile economy coming out of COVID by hypercharging inflation. Democrats alone drafted and pushed forward their most recent bill, bypassing the normal committee process, and Democrats alone passed it, rejecting every Republican amendment along the way.

In short, these policies continue to destabilize every single corner of our economy. Well, how do we know this? We see some of the statistics that I talk about. Well, I know it because West Virginians have lived it, and I hear from them frequently about their legitimate concerns. A retiree from Clarksburg, WV, wrote to me recently saying that she and her husband are “struggling every month” despite having done their due diligence to save well for their retirement. She says they are trying not to dip into their 401(k)s or their TSP retirement accounts but that it is getting “harder and harder” not to do that.

As inflation drags on, the lifespan of retirement savings will continue shrinking for our seniors in West Virginia, and those seniors account for 41 percent of our population.

Another West Virginian wrote to me about the tough choices her family is making:

The economy has crumbled in the blink of an eye. My husband and I have full-time jobs and two children. I'm tearful because I sit here looking at upcoming bills and I'm having to decide to pay a bill or buy groceries.

A resident from Weston, WV, told me that his insurance premiums recently increased and, when he asked the company why that happened, they told him pointblank it was due to inflation. In the same letter, the constituent wrote:

This crazy spending has to stop.

But it is not just West Virginians who are experiencing this inflationary problem. The National Defense Industrial Association, authored in part by former Deputy Defense Secretary David Norquist, released a white paper recently that indicated inflation has cost the Department of Defense \$50 billion and estimates that it will cost an additional \$110 billion to our Nation's defense from fiscal year 2021 through fiscal year 2023.

Think about this in the face of what we are talking about in terms of trying to help Ukraine overcome this terrible invasion by the Russians.

Residential real estate has skyrocketed 43 percent in the past 2 years. In fact, this year, mortgage rates have risen from 3.2 percent to 6.3 percent, which is the highest they have been since 2008—setting all kinds of records here. So some are going so far as to predict an additional 17.8 percent rise in home prices over the next year.

A recent paper released by Goldman Sachs, aptly titled “The Housing

Downturn: Further to Fall,” warns that higher mortgage rates and reduced affordability will continue well into 2023. For first-time home buyers, that spells a death knell for their dream of owning their own home.

Again, what we are seeing in realtime are direct consequences of inflation fueled by spending. The increase in the price of groceries is unbelievable. It is unbelievable when you go to the grocery store. Over the past year, the price of basic pantry staples has continued to increase. The cost of eggs has gone up 40 percent; butter, 24.6 percent; luncheon meats, 18.2 percent. Fresh milk has increased 17.7 percent. Sugar, flour, bread, pasta, peanut butter, and cereals have increased between 15 and 23 percent. These are the things that families buy weekly to meet their grocery bill and to provide their children's breakfast, lunch, or dinner.

Simply put, elected Democrats in the Biden administration celebrated the so-called Inflation Reduction Act on a day when the Consumer Price Index on inflation increased. For the many constituents whom I talk to on a daily basis, inflation remains the No. 1 concern.

So this irony is not lost on me nor is it lost on the American public. It is not lost on millions of Americans making tough choices because of these policies, and it is painful; it is hard to watch; and in many of my constituents' opinion, it is as if the President and his party are not paying attention.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, I ask unanimous consent that the vote occur now.

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

#### VOTE ON PAN NOMINATION

All postcloture time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Vermont (Mr. LEAHY) 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 South Carolina (Mr. GRAHAM), and the Senator from Idaho (Mr. RISCH).

The result was announced—yeas 52, nays 42, as follows:

[Rollcall Vote No. 340 Ex.]

YEAS—52

Bennet	Booker	Cantwell
Blumenthal	Brown	Cardin



Carper	Klobuchar	Sanders
Casey	Lujan	Schatz
Collins	Manchin	Schumer
Coons	Markey	Shaheen
Cortez Masto	Menendez	Sinema
Duckworth	Merkley	Smith
Durbin	Murkowski	Stabenow
Feinstein	Murphy	Tester
Gillibrand	Murray	Van Hollen
Hassan	Padilla	Warner
Heinrich	Peters	Warnock
Hickenlooper	Portman	Warren
Hirono	Reed	Whitehouse
Kaine	Rosen	Wyden
Kelly	Rounds	
King		

## NAYS—42

Blackburn	Grassley	Paul
Blunt	Hagerty	Romney
Boozman	Hawley	Rubio
Braun	Hoeben	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	Lummis	Toomey
Daines	Marshall	Tuberville
Ernst	McConnell	Wicker
Fischer	Moran	Young

## NOT VOTING—6

Baldwin	Cramer	Leahy
Barrasso	Graham	Risch

The nomination was confirmed.

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

The Senator from West Virginia.

## ENERGY

Mr. MANCHIN. Mr. President, I rise today to talk about how the current process that we are in right now with the energy challenges we have, not just in our country but around the world, and how the committee process, the committee process that we are working on, can help relieve the challenges that the American public have right now with high prices at the gas pump, high prices they are receiving in their homes for heating and all the necessities they have.

What is at risk right now—and I want people to understand. What is at risk is the energy independence and energy security of the United States of America. If we are going to remain the superpower of the world, if we are one country that has it all, you better have energy independence. If you can't produce your own energy and you are going to ask other people around the world to do what you won't do for yourself but you have the ability to do it and the resources to do it, God help us all. That is what we are dealing with.

So I am going to talk about how Congress can provide some relief here.

The 2022 Energy Independence and Security Act we have been working on is going to be paramount to maintaining what we have. That means that we have to focus on not blaming each other. This has become a personal thing back and forth, back and forth.

Some people on the extreme left—liberals—don't like it because they want many changes. We have some people in the conference over here, my Repub-

lican friends, who have always been for it, but now the leadership has made it personal to be against it. But let me tell you who suffers—it is all the people. All the American citizens are going to suffer if we don't do something.

We are all citizens of this great country, and we are all so grateful for having the opportunities we have by living here. But we have an abundant amount of energy—an abundant amount of energy that we can produce cleaner than anywhere else in the world.

I have always said let's do decarbonization. We all should be committed to decarbonize to help the atmosphere and to help the climate. That is our responsibility as human beings and especially in a developed nation in the developing world.

Decarbonizing means two things, however you intend to interpret it. Some people want to decarbonize by basically eliminating anything that has fossil. Well, guess what. Our friends in Europe tried that. Our European friends tried that. Look where they are.

Then there are those of us who want to basically say: We can decarbonize by producing more fossil, which is cleaner in the United States of America, and basically dispersing the dirty fossils produced around the world. That is all we are saying.

When you have oil and gas coming from Venezuela, which is produced with no oversight whatsoever—dirtier than any place in the world—we were going to go to them and remove sanctions to help us? That makes no sense. We were going to ask Iran, which is the most prolific terrorist supporter in the world, which made no sense whatsoever. When we are asking Saudi Arabia to please produce more oil to help us—no support—it makes no sense at all.

So this is what we are talking about. I have this item here that kind of spells out what we are confirming. Here is the common permitting timelines for energy and minerals projects. The timeline for the United States is a minimum of 5 to 10 years—a minimum of 5 to 10 years; Canada, 1 to 3 years; Australia, 1 to 3 years, and they haven't deleted any of their oversight for review. They haven't deleted any of that.

Now let me tell you the extremes that are going on in the world today. The European Union, which has had a pretty stringent oversight on environment, they are considering emergency bypassing all environmental reviews because it is critical to them. Energy has been weaponized by Putin. Energy has been weaponized, and we in America can offset that. We can.

No matter what you want to build, whether it is transmission, pipelines, hydropower dams, more often than not, it takes too long. It drives up cost. You can double your cost within a 5- to 6-, 7-year period, double from what the original cost may be in projected cost. Today's energy and mineral projects, as I have said before, take too long.

Then you come over here, look basically at what the U.S. citizens—all 330 million people—are subjected to. Natural gas, up 200 percent. The cost of natural gas, 200 percent. The cost of natural gas in Europe, 1,100-percent increase—1,100 percent. Predicted by next year, some utility—homes will be paying \$7,000 a month. They are going to be subsidized by the government; they can't do that forever. Can you imagine those types of outrageous costs? Gasoline. Gasoline is up 67 percent, under both this administration and previous administration—67 percent. Electricity is up 15 percent and climbing and climbing.

When you have countries, such as Australia and Canada, that are doing it and doing it in a clean fashion but also doing it in an accelerated fashion, that is something we should be looking at. We have talked about permitting for years and years and years. If you are on the renewable side and you want all renewable, no fossil whatsoever, you can't get a transmission line done. If you are going to build a wind farm or a solar farm in the middle of the desert where there are no people and you have got a build to take the electrons, take that electricity back into the marketplace, you have got to cross a multitude of State lines.

You have got to have permitting reform to get it done. You are not going to be able to deliver the energy that people need. Look at our friends, whether it be in California or look at what has happened in Texas—all this. It is very, very fragile what is going on.

But then the good news is, next week, we are going to have an opportunity to help accelerate these energy projects clear across the country and the needs that we all have, if we don't let politics get in the way. If we basically look at what the United States of America needs, what the people in this country need, and what they want to make sure that we have the energy independence to do it ourselves and not rely on foreign supply chains, that is what it is about.

I have always said, if I can go home and explain it, if I can talk to all of you and explain it, I can vote for it; I can explain what we are doing. I truly can—whether it be from the IRA, a bill that basically gives us a pathway to walk and chew gum, provide the energy we need for today but also invest in the energy we need in the future. We are doing both, but you can't do them unless you have permitting reform.

Now, everyone thinks this is a side deal. There is no side deal. We talked about all of this at one time. We put this project together under one auspice of energy independence and the security this Nation needs and the relief the citizens need from high inflation—that is what—and also the support that we need for our allies in Europe that are having a difficult time.

So let me lay out the facts and explain why voting for energy permitting



reform is something that should make sense to each and every one of my colleagues on both my Republican side and Democrat side. Put plainly, with the state of energy prices, our constituents across the country, they can't afford for the politics to stand in the way of a long overdue, bipartisan action on energy permitting reform.

Domestically, American families and businesses are feeling the pain. This is Putin's energy war. I won't acknowledge this as a Russian war. This is one demagogue who basically has brought the havoc and the unrest that we have in the world—one man, Putin—and he has basically weaponized energy like we have never seen and never thought would be done, and this must be answered. We have the infrastructure, and we have the resources. I have said that before.

American natural gas prices average around \$9 per million of Btu—\$9 per million. I mean, most of this energy comes from my State of West Virginia—a lot of the gas does—because we have the Marcellus and Utica shale, which are probably the richest deposits of natural gas that we have ever seen in this country, let alone the world. But with that, those prices were in the \$2.50 to \$3 range. It balances out pretty well to \$5, but at \$9 it does not.

Look at what the Europeans are paying. The Europeans are paying an astronomical \$60 and \$70 equivalent to the same MCF—\$60 to \$70 versus our \$9, which we think is outrageous. This is the crunch that we are in.

Even with the cost savings that we have achieved by energy efficiency, electricity and home energy costs are up, and Americans are concerned about reliability after watching things that are taking a heck of a hit right now.

The changing energy mix has not yielded affordability for American families evenly, in part, because we haven't been able to knit together the widespread resources with transmission and the delivery of this energy. That is the hardest thing we have. You can only do that by building more infrastructure. You can't do it by hoping one skips over another to get you what you need. You have got to have infrastructure for this transmission to pipelines to get you the energy you need.

The consumer price index tells the story. Consumers paid 16 percent more for their electricity service and 33 percent more for their gas services, and it is only going to get worse, not better. Absolutely.

I am grateful that we have made progress addressing the price at the pump. As we said, a gallon of gasoline remains 67 percent higher than it did 5 years ago. These are the type of pocketbook issues—they truly are—that are impacting day-to-day decisions Americans make. People are making decisions on how they are going to get from one day to the next, one month to the next, and what will happen next year. They are making those decisions. They are making them when the gas

prices are still too high, when the energy prices are absolutely too high, and the unrest from supply chains is making it almost impossible to do the things or have the things you need or that you want.

I have heard my colleagues on both sides of the aisle propose a variety of solutions to address the rising costs of energy for American consumers, whether it be through more oil or gas, a switch to electric vehicles. Let me ask you, Mr. President, where do they think the electricity comes from if they buy an electric vehicle? It has got to be produced. It has got to be produced. You have got California, I am understanding they are saying they want all-electric vehicles by a certain date; yet they are telling people you can't charge your car at certain times of the day. Something doesn't make sense. We have to be realistic, be practical about this, pragmatic. All those things are going to take Federal permits for us to make sure they have the energy they need. We are going to have to face this sooner or later.

It is only possible if you can build it. If you can build it, then you can make sure that we have the changes that consumers are going to demand in America. If we can make those, then, fine; we can supply it. If we can't, I guarantee the chaos will be unbelievable for all of us who represent these great people.

Our producers are handcuffed by an arduous permitting process that doesn't allow us to meet the supply problems that we are facing, and it is not getting any better.

Let me kind of throw the political process that we have out. My Republican friends have always been very supportive, always; and I have a lot of my Democrat friends who understand that we need permitting reform. But we have never gotten it done, whether we have had all Democrats in charge, whether it be the President being a Democrat, the House and Senate being Democrat controlled, or whether it was 4 years ago when you had the Republicans who basically had a Republican President and Senate and the House and they couldn't get it done. You can only get it done if we work together. We can only get this done if our Republican colleagues and our Democrat colleagues work together. It won't happen. And if we don't do it now, in my lifetime and a lot of my colleagues' lifetimes, it is not going to happen in our lifetime. It is not.

If we continue to strap the American people with the highest cost of delivery of the products they need because of our infrastructure and the cost of infrastructure, we end up doubling and tripling the price because of the owner's position we put them in to go through a process of permitting, and they know that going in, up front, that cost is passed on. They don't absorb that cost.

So if a pipeline costs \$3 billion—which you anticipate to build a pipe-

line, to deliver the energy you have, whether it be hydrogen or whether it be natural gas, and that ends up costing you \$6 billion or \$7 billion—you and I pay that price. Every one of our constituents in our States pays that price.

We are suffering from self-inflicted shortages. We are anticipating shortages right now. The next 5 years, basically, our gas supplies, our gas deposits are down—natural gas. Natural gas is down. And we can change that. We can change that because the energy we have under our feet right now, if we can just get it to the market, it will not only fulfill the surpluses that we have, it will basically be able to help our allies across the globe here that need it most.

The worst scenario is if the Ukraine war and the pressure that that war is putting on energy that goes into Europe—and the Europeans are facing some absolutely astronomical hardships—and those hardships reflect to where they are putting pressure on Ukraine to make a deal with Putin, God help the world. God help us all if Putin walks away and can say he had a victory. He has a propaganda machine that he can say anything he wants, no matter the devastating losses that he has taken with his troops and the economic challenges he has in his country, but the unbelievable carnage and pain he has put on Ukraine; and they are going to be forced because of energy to make a decision. We can help that and prevent that from every happening. That is what we should be doing. That is basically the challenge that we have.

So you either rise to the challenge or you don't. You either put your politics aside, forget about your personal vendettas and your personal arguments, whatever—look at the contents of the bill. Look at what we are going to have in front of us that you can vote on; that you can make a difference. I have often said, if you can go home and explain it, you can vote for it; and I truly believe this piece of legislation will do that.

We are putting people to make hard choices; they shouldn't be put in that position. I tell Americans every day I speak to them, I say: Don't let Washington make you believe you are divided. You are not divided; we are divided here.

We are forcing the constituents of our States to pick a side. What side are you on? There is only one side; that is the American side. There is not another side.

We have Republican friends and Democratic friends; we might have different ideas. But when the country is challenged, we have one problem to solve, and that is what we are working on right now. You can come with different ideas, and we can go through the whole process, but we should come together. You shouldn't say: Well, my side is right, and we are against that; my side is right because we are for it. Well, we both have to be.

If this doesn't pass, nothing moves on permitting unless we work together. If

all the Democrats vote for it, it is not enough. If all the Republicans voted for it, it is not enough. The Senate is unique; it takes 60. So it is going to take 10 or more from one side or the other, and right now I would say our Republican friends and colleagues are going to have to look deeply at something that they have always wanted and have a chance in their hands to grab but let politics come between us. I hope not; I don't think so. I am still betting on the right thing will be done at the right time.

I understand that the political process we are in is highly charged. I am hoping that the American public basically says: Enough is enough. Come on. It is for the country. It is not for you. It is not to make your party stronger or to make the other one look bad. It is not to give one an advantage over the other.

This process is to fix the problems to keep this country the strongest country on Earth, keep us basically the superpower of the world, and we only have one way to do it. We are doing everything we can for ourselves. I guarantee, when you are able to do that, you are able to draw your allies closer to you. The people want to be associated with the winner; they want to be associated with an economy that you can't stop and with a quality of life that is next to none. That is what they want to be associated with. And the American dream can be alive. It can only be alive if we do everything to keep it vibrant. So that is what we are working on.

Less than a year ago, we acted—Congress did—in a bipartisan way to accelerate public works permitting in the infrastructure bill. Now, we did it for infrastructure. We finally came together and said, for the last 30 years, we have known that our roads and bridges and our pipelines and our internet service, everything needed to be improved, and we voted in a bipartisan way. And do you know what we did? We changed how we did the permitting to get those things to fruition, to build a road or a bridge. But yet we can't do it for energy. It doesn't make any sense to me at all why we can't do it for energy, but we were able to do it for infrastructure.

In the coming days, we are going to have that opportunity to take the action to move the needle on getting types of energy and critical minerals—try getting a permit for a mine in critical minerals. You know we just passed a bill, the IRA bill, that basically says, on the car manufacturing, car manufacturing, we want to get people transitioned; electric vehicles should be desirable. You either like the product or you don't, but you will make those decisions. The only thing about it, the only way you are going to get a credit is if the manufacturers are sourcing the critical minerals from either North America or favored nations, such as Australia and our European friends, not those—and right now, all

of it is coming from China. China has a lock on this. So it is time we decide to get off our butts and start doing what we should be doing for ourselves so we don't have to be crippled by a supply chain.

You know, I have told everybody, I said the first time in the history of the United States of America—think about this great country, Henry Ford, the mass production line—we have been able to produce in the United States of America, without any foreign supply chains that were needed, the combustible engine, all the drive trains, and everything else it took for transportation mode. We were able to do that, whether it be for trains, planes, or automobiles. Guess what. Now they have come out and said we are going to VEDS, electric vehicles.

For the first time in the history of the United States, we cannot produce what is needed for that to be a transportation mode.

I refuse to give up and say we can't do it. That is why, in the bill that we pass, you are going to have to source the critical minerals that are needed for the batteries that are going to be supplying the power for these vehicles, and they are going to have to be produced in North America.

We shouldn't be waiting on the foreign supply chains to say: Oh, I am sorry. We don't agree with your geopolitical stance on so many things, so we are not going to agree to give you what you need. We process the anodes and cathodes that make these batteries, but that is all China. It is not us. And we are not going to get caught in that. So that is what we are trying to correct.

In the coming days, we are going to have this opportunity, and I say that again—truly an opportunity. We can keep the costs down. We can make it affordable. We can relieve the pain at the pump. We can relieve the pain when you see your energy bills being mailed to you every month. We can fight all of this.

We can unlock the energy and climate benefits of the Energy Act of 2020. The bipartisan infrastructure law and the inflation reduction—we can do all of that, but you can't do it in a timely fashion to meet the challenges the world has today unless you change permitting, which is something we have all wanted.

It streamlines the electric transmission lines. I don't know what to tell you. As of right now, there are approximately 20 interstate transmission projects in various stages of planning—20. Those take, right now, an average of 10 years. On top of that, a quarter of those—25 percent of those—go into litigious extensions, which is even longer—15, 17 years, some of them. There is nobody in the developed world looking at us, saying we are effective and efficient and what we are doing is delivering the most effective and efficient pricing that we can and the most reliable energy that is needed.

In this permitting bill, we do not bypass any of the oversights from environmental review. Whatever we have in place is still there. We are just going to put in guidelines and timetables: You either do it in a sufficient amount of time or we move on. So that is what we are doing. And we are simultaneously going to two or three Agencies at the same time.

All we did is look at what was successful around the world—that is all we did—and we made it applicable to what we are trying to do here so that we can compete on an even playing field, and we are going to continue to do that.

This bill isn't just my idea. Everyone says it is a personal thing; it is my idea. This bill is not my idea. This bill is a combination of everybody in this body.

Also, the challenges we have right now—the war in Europe has accelerated everything. The inflation has accelerated the need to do something quickly. If we don't get off our proverbial hind ends and start acting like Americans and not Republicans or Democrats fighting for our respective sides—you know, I see it. We have spectators here watching what we are doing. We have people watching what we are doing. They have to be sick and tired that all we do is call each other names.

Every Republican over there, I consider them a friend, every one of the 50, and every one of my 49 colleagues I consider a friend. I don't have all the answers, and they are not always wrong. Somewhere in between, we can find an answer to the problems. That is what we are asking for, and I am going to continue to do that. I am not giving up, and I won't give up.

We have an opportunity. Let's take advantage of it. If we don't, then you have to go home and explain why not. I don't have to worry about that because I know why I am for this, and I know why I think it will help every person in my State of West Virginia and every one of my fellow Americans in this country. I really do.

I hope we rise to this occasion. We are going to find out next week. We don't have much time to wait now. We will find out where we stand. If there are people willing to vote to shut down this government because of political reasons—they don't like permitting when it is something they fought for all their life, political life—they have to answer to that.

With that being said, I appreciate very much the opportunity to be able to speak on this subject because I think it is so important. It is coming down to the point to where—we have great legislation. We have done a lot of bipartisan things, worked on good stuff these past 2 years, unbelievable. Now you want to make sure that you take advantage of that and bring it to the market quicker. You want to make sure you get the prices down; you fight inflation; you show the rest of the world that you can depend on the

United States of America. That is what it is about today.

I yield the floor.

### RECESS

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

Thereupon, the Senate, at 12:50 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. MURPHY).

### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 2, Treaty Document No. 117-1, amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the "Montreal Protocol"), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the "Kigali Amendment") and a resolution of advice and consent to ratification with 1 declaration.

Charles E. Schumer, Robert Menendez, Tammy Baldwin, Christopher Murphy, Mazie Hirono, Martin Heinrich, Christopher A. Coons, Benjamin L. Cardin, Margaret Wood Hassan, Sheldon Whitehouse, Alex Padilla, Brian Schatz, Patty Murray, Jacky Rosen, Edward J. Markey, Richard Blumenthal, Angus S. King, Jr., Thomas R. Carper.

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 amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the "Montreal Protocol"), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the "Kigali Amendment") and a resolution of advice and consent to ratification with 1 declaration, 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 Wisconsin (Ms. BALDWIN), the Senator from Illinois (Ms. DUCKWORTH), and the Senator from Vermont (Mr. LEAHY) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Idaho (Mr. RISCH), and the Senator from Mississippi (Mr. WICKER).

The yeas and nays resulted—yeas 64, nays 30, as follows:

[Rollcall Vote No. 341 Ex.]

#### YEAS—64

Bennet	Hassan	Portman
Blumenthal	Heinrich	Reed
Blunt	Hickenlooper	Romney
Booker	Hirono	Rosen
Boozman	Hyde-Smith	Rubio
Brown	Kaine	Sanders
Burr	Kelly	Schatz
Cantwell	Kennedy	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Cassidy	Markey	Tester
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Moran	Warnock
Durbin	Murkowski	Warren
Ernst	Murphy	Whitehouse
Feinstein	Murray	Wyden
Gillibrand	Ossoff	Young
Graham	Padilla	
Grassley	Peters	

#### NAYS—30

Barrasso	Hawley	Rounds
Blackburn	Hoeven	Sasse
Braun	Inhofe	Scott (FL)
Cornyn	Johnson	Scott (SC)
Cotton	Lankford	Shelby
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Daines	Marshall	Tillis
Fischer	McConnell	Toomey
Hagerty	Paul	Tuberville

#### NOT VOTING—6

Baldwin	Duckworth	Risch
Cramer	Leahy	Wicker

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays are 30.

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

### AMENDMENT TO MONTREAL PROTOCOL ("KIGALI AMENDMENT")

The PRESIDING OFFICER. The clerk will report the treaty.

The legislative clerk read as follows: Calendar No. 2, Treaty Document No. 117-1, Amendment to Montreal Protocol ("Kigali Amendment").

The PRESIDING OFFICER. The majority leader.

#### AMENDMENT NO. 5503

Mr. SCHUMER. Mr. President, I call up amendment No. 5503.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 5503 to the resolution of ratification.

Mr. SCHUMER. I ask unanimous consent to dispense with further reading of the amendment.

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

The amendment (No. 5503) is as follows:

(Purpose: To add an effective date)

At the end add the following:

#### SEC. EFFECTIVE DATE.

This resolution of ratification shall take effect on the date that is 1 day after ratification.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to speak to the Kigali Amendment to the Montreal Protocol.

I thank the leader for bringing this important legislative initiative to the Senate floor, and I want to thank our Republican colleagues who have joined in a bipartisan effort to send a very strong message that this is about America's competitiveness; this is about America's security; this is about challenging China.

For more than 20 years, U.S. manufacturers have been hard at work pioneering new technologies for our refrigerators and air-conditioners. They defined the global standard, and they have the competitive advantage over companies in China and India which have doubled down on yesterday's technology.

Our companies want and need the Senate to support them so that they can continue to lead, to create jobs, and to export their goods to global markets.

So this is why I come to the floor today, to urge my Senate colleagues to provide advice and consent to the Kigali Amendment, the fifth technical update to the incredibly successful Montreal Protocol, a treaty amendment that passed the Senate Foreign Relations Committee by bipartisan voice vote—a bipartisan voice vote. That just shows the depth and scope of bipartisan support. Each of the four prior updates were approved by the full Senate with overwhelming bipartisan support, and I urge my colleagues to do the same for Kigali.

The amendment is a success story of business and government working together, dating back to the George W. Bush Administration. It is an update that will ensure U.S. leadership in exports into the future, and it is the only way—the only way—to keep our businesses from being locked out of markets across the world.

American businesses are clear. It is time to phase down antiquated chemicals, known as HFCs, which American manufacturers want to leave behind. It is time to usher in a new era in which the modern products are purchased all over the world.

Our companies already lead in this space. They have been investing billions of dollars to develop new technologies—alternatives to HFCs—and they have done so in ways that will ultimately decrease costs—decrease costs—for U.S. consumers. That is why, for the time being, we have the competitive advantage over China and others.

So the choice on this is clear: Ratifying Kigali means ensuring U.S. companies dominate the export markets. Failure to ratify means a wasted investment and a missed opportunity. Ratifying means we will see thousands more domestic manufacturing jobs—33,000, according to industry estimates. Failure to ratify means U.S. businesses that employ tens of thousands of people across the country will not—will not—be able to sell many of their products in key countries. We are talking about \$4.8 billion annually—annually—

of increased exports; \$12.5 billion of increased economic output per year. So do we want billions of dollars a year in more exports and economic output or do we want to have lost jobs? Do we want lost exports? Do we want our companies suffering needlessly?

Beginning in 2033, the nations all around the world that have already joined Kigali—137 of them and counting that have already done this—will be required—required—to block the imports of most HFCs from the countries that have not joined Kigali. So we would be blocked if we don't, in fact, ratify this amendment.

We don't want U.S. manufacturers to be on the outside looking in. They employ thousands of people all over the country. We don't want them to be unable to sell products that they had been at the forefront of developing. Adopting this treaty amendment is the only way to keep our businesses from being locked out of global markets.

So let's not waste the engagement and encouragement by the Bush administration that led U.S. manufacturers to develop alternatives to these harmful chemicals. Let's not waste the accomplishments made by the AIM Act, which President Trump signed into law. We need to remember that the AIM Act provides for the exact same chemical phasedown required by Kigali, which means that we have already taken the required steps domestically.

This means that we wouldn't be required to do anything more—anything more—if we ratify Kigali, but we will miss out on billions in exports and thousands of jobs if we fail to do so.

That is the essence. That is why manufacturers all over the country in States like Wisconsin, Texas, and Kentucky support Senate approval of Kigali. That is why there has been an outpouring of support from the business community, including major employers like Walmart, Carrier, Trane, Lennox, and others.

That is why the National Association of Manufacturers, the U.S. Chamber of Commerce, and the impacted industries all support this practical and bipartisan Senate action.

So, in closing, I ask my colleagues to fulfill our constitutional role in the treaty process by providing advice and consent to the Kigali Amendment. That requires 67 votes. I think we are well on our way there. Let's support American businesses. Let's continue to be the global leader. Let's support American consumers. Let's make sure the United States stays ahead of the competition. And let's beat China, instead of help China, at the end of the day. We can do all of that and so much more by adopting today's amendment.

And I want to thank so many who have worked on this in a bipartisan effort. Senator KENNEDY has been working very hard. I want to thank my colleague Senator CARPER, the chairman of the Environment and Public Works Committee, who has been so passionate

about the Kigali Amendment and such a force to bring us to this moment today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, while he is still here on the floor, I just want to express to Senator MENENDEZ, my thanks, our thanks, to him and others on the Foreign Relations Committee for his leadership and for setting us up for great success—American businesses up for extraordinary success here today. The path is clear. We need to use some common sense and work together, and I think we will benefit from that and so will the men and women who have sent us here to serve them and to represent them.

Mr. President, I rise today in support of ratification of the Kigali Amendment to the Montreal Protocol.

I have worn many hats throughout my life of public service, including naval flight officer, State Treasurer, Congressman, Governor, and a U.S. Senator. Today, I rise to speak from my heart as a recovering Governor, if you will.

During my 8 years as Governor of Delaware, I realized quickly that my job was not to create jobs. That is not why they elected me. Rather, it was to help provide a nurturing environment for job creation—to help create a nurturing environment for job creation. More jobs were created in the 8 years that I was Governor of Delaware, I am told, than any other 8-year period in the history of the State of Delaware. I didn't create one of them, but we did work very hard with the legislature and with the business community and others to create a nurturing environment that made possible extraordinary job creation.

The most successful economic development policies were the policies that provided business with long-term certainty and predictability. As it turns out, that is not unique to Delaware or to New Jersey or to Connecticut or any other State represented here. It is something that we still hear from businesses across the country in all 50 States, and I am sure my other colleagues hear that message, too, on a regular basis.

That is why I am so passionate about working with our friend and colleague Senator JOHN NEELY KENNEDY to ratify the Kigali Amendment to the Montreal Protocol.

During the Trump administration, we successfully enacted the American Innovation and Manufacturing Act, known as the AIM Act, which phases down HFCs in accordance with the Kigali Amendment.

Ratification of the Kigali Amendment, along with implementation of the AIM Act, will provide businesses with certainty and with the predictability that they need for future investments.

Ratification will unleash billions of dollars in U.S. economic benefits—bil-

lions of dollars in U.S. economic benefits—and create some 150,000 American jobs by 2027.

I am going to repeat that. Ratification will unleash billions of dollars in U.S. economic benefits and create some 150,000 American jobs by 2027. These jobs are jobs in my State. These are jobs in every other State throughout our country. Why would we ever pass up this opportunity?

Let me be clear to my colleagues. I am not the one telling industry that ratification of the Kigali Amendment is good for business and economic growth. No, I am not telling them that. Industry leaders are telling us that Kigali is good for their businesses. Everyone from the U.S. Chamber of Commerce to the American Chemistry Council, to the Air-Conditioning, Heating, and Refrigeration Institute, to the Alliance for Responsible Atmospheric Policy support ratification for Kigali. In fact, it is hard to find anyone in the business community who is opposed to ratification.

I would like to share with my colleagues today one statement that I think is particularly noteworthy from the National Association of Manufacturers. Here is what they have to say on this score:

Kigali ratification will protect American workers, grow the economy, and improve our trade balance all while encouraging further innovation to strengthen America's technology leadership. If we work together—if we rise above politics and partisanship and focus on solving problems—we can make our vision of a brighter tomorrow into reality.

But for my colleagues who are still hesitant to support the Kigali ratification and worried that ratification may hurt, not help, global competitiveness, here are a few points I would like for you to think about before tomorrow's vote.

First, I have heard concerns that ratification might benefit China and hurt the United States. Nothing could be further from the truth. While the United States contributes roughly \$40 million annually to the Montreal Protocol's financial assistance programs, which facilitate the transition to next-generation technologies, it is not true that this assistance goes solely to China.

In fact, China only receives a very small fraction of these funds. According to the U.S. heating, ventilation, air-conditioning, and refrigeration industry, financial assistance to China under the Montreal Protocol supports less than 2 percent of China's \$37 billion refrigerant market—less than 2 percent of China's \$37 billion refrigerant market. Moreover, China's share of these funds is decreasing, not increasing. In fact, funding to China under the Montreal Protocol has decreased—has decreased—by nearly 70 percent in recent years.

Mr. President, the truth is, the small amount we pay every year under the Montreal Protocol is worth the investment and then some. Through Kigali

ratification, American businesses are set to gain nearly \$40 billion—\$40 billion—in economic benefits by 2027, according to a 2018 study by the University of Maryland. Ratifying Kigali will guarantee that American businesses continue to have access to international markets for refrigerants long into the future.

However, without ratification, American companies could lose full access to international markets for refrigerants after 2033, closing the door to billions in future economic opportunities for U.S. companies. Why would we want to allow that to happen?

Ratification also protects U.S. business investments. While China has doubled down on HFCs and the production of HFCs, a dumping of HFCs—and to this day illegally dumping HFCs into this country—the United States leads the world, I am proud to say—it leads the world in HFC alternatives. Ratification would protect against the illegal HFC dumping and smuggling. These are protections that U.S. businesses have sought.

I have also heard fears that ratifying the Kigali Amendment will somehow raise consumer costs. That is just not true. We are already transitioning away from HFCs similar to the way we transitioned away from ozone-depleting substances through the 1987 Montreal Protocol under President Reagan's leadership.

With the transition away from HFCs, we expect consumer costs to fall. Now, why is that? New refrigerants and related products run more efficiently. According to the EPA, use of HFC alternatives will save consumers and businesses billions of dollars in costs. Again, ratification means lower costs for consumers and for businesses while enhancing U.S. competition.

In closing, I hope our colleagues will join Senator KENNEDY and me in supporting the ratification of the Kigali Amendment. This is a treaty that fosters job creation—a lot of jobs. This is a treaty that promotes economic growth. This is a treaty that strengthens American leadership. This is a treaty of “Made in America,” not “Made in China.”

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

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

NDAA

Mr. INHOFE. Mr. President, there is this old document that no one reads anymore called the Constitution, and I think some of my colleagues should give it another read today.

The Constitution tells us what Congress is supposed to be doing here in DC, and that is national defense. It is

right there at the top. Now, some of my colleagues don't agree with it. They don't have that as the No. 1 concern. I think the majority do, but there are some who don't.

I would say this: For 61 years now, for 61 years in a row, Congress has fulfilled this duty by passing the National Defense Authorization Act to strengthen the common defense and support our troops. That is 61 years. That is a long track record. And this year will be my 62nd, and I am proud to say that I have had the opportunity to vote on over half of them in that timeframe. So I think I have a pretty good understanding of what it takes to get this bill done and the significance of this bill.

The way this typically works is the House does their bill; then the Senate does ours; and then we go into conference and create a bipartisan, bicameral conference report. That is commonly, normally what takes place. But that takes time. It really takes months. You know I have been in a position of being active in this for a long period of time. So when I look at the legislative calendar right now, I get concerned. The days are ticking down, and, frankly, we are running out of time to get this bill done, to do it the right way, and we are talking about the most important bill that we consider all year. Now, some people don't agree with that, but I certainly do. This tells us our ability to defend and help America to survive.

Senator REED and I believe deeply in this bill. We held a markup on June 15 and reported out a strong bipartisan bill. That was 3 months ago. Now, we have got an election in November that will likely eat away at the limited time that we have.

We saw last year what happens when this bill isn't given enough floor time. Last year, Majority Leader SCHUMER waited until the last possible moment to try to jam through the NDAA, the National Defense Authorization Act, without debate right before Thanksgiving. If he delays it again, we don't get an open amendment process where every Senator has a chance to improve the bill. Now, we are talking about every Senator—not just the members of the Senate Armed Services Committee but all the others who are out there who have an interest in how to make this a better bill.

We have a virtually unlimited amendments process that we have enjoyed in the past. Now, if he delays, we get jammed in negotiating a conferenced bill with the House. The whole process would take longer, which leaves our military with more uncertainty and prevents them from moving out and getting things done. There are real consequences to waiting this long. It is bad for this institution. It is bad for our troops. It is bad for our national security.

Now, I understand some of my colleagues, including the majority leader, have different priorities than I do, but

I think this is the most important bill that we do all year. So this year, that is as true as ever. We have threats. We have two countries out there, Russia and China; they have capabilities that we never believed they had, and some capabilities are better than ours.

Now, people have this assumption—when I go out to Oklahoma or anywhere around the country and I talk about what we are doing here and explain to them that we have other countries out there, we have threats that are there, most people now agree that we are in the most threatened position that we have been in in a long period of time and the scope of threats that we have.

Senator REED and I deeply believe in this bill because it responds to those threats and it takes care of our troops. We finished markup 3 months ago. We could have gotten started—we could have been finished by now.

I have to admit, Mr. President, that I have a selfish motive. Now, how many Members of this body are going to stand up and admit they have a selfish motive, other than me? And that motive is that I want to get this bill done because it will be the last national defense authorization bill of my career. I want to make sure it is done right. I would hate to leave here without finishing the NDAA, without fulfilling our promises to our troops and the American people. I would hate even more to see the bill's six-decade track record broken. For the last 4 years as chairman and now ranking member of the Armed Services Committee, I have fought tirelessly to pass this bill.

I know the majority leader doesn't want to be responsible for the demise of Congress's last remaining annual authorization bill. There is really no time to waste. We are out of time now. The Senate is going to have to do, now, the NDAA.

With that, 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. KAINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore (Ms. SINEMA). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE  
CALENDAR

Mr. KAINE. Madam President, I rise to seek consent to advance the nomination of a Virginian and friend, Leopoldo Martinez, to be Executive Director of the Inter-American Development Bank. The IDB is the largest source of development financing for Latin America and the Caribbean. It is a critical part of the ability of the United States to engage diplomatically with our American partners to counter a growing influence of Russia and China and Iran and other nations in the Americas. And it is very much in the national interest of the United States

to build up economic prosperity of countries in the Western Hemisphere.

We have seen over and over that when countries have troubled economies, it is not a distant or faraway problem. It drives government corruption; it drives organized crime; it drives drug abuse and drug trafficking. And then it expands migration that could start as a country's problems but very quickly become our country's problems as well. When we don't step up, we see that other nations—China and Russia, in particular—in the Americas fill the vacuum.

As Latin America and the Caribbean countries continue to face challenges from the COVID-19 pandemic—where the region has had the highest global per capita infection and death rates in the world and is experiencing the largest economic contraction of any region in the world—the IDB has a key role to play in improving economic outcomes for the region.

But the problem is the IDB is without an executive director. It is without leadership confirmed by the Senate at this critical moment in time.

Leopoldo Martinez brings decades of experience in the public and private sectors, as well as academia. He has extensive experience advising Fortune 500 companies, private equity funds, international businesses, and nongovernmental organizations. He is the CEO for the Center for Democracy and Development of the Americas, as well as a commissioner for small business in the Commonwealth of Virginia. He is on the board of one of our public universities, the University of Mary Washington.

And as I have said, he is not just a constituent; he is also a friend. And in all respect, he is outstandingly qualified for this position.

Now, I understand that there are differences of opinion in the Senate about the success, or lack thereof, about the Biden administration's policies in Latin America. Earlier this week or late last week, some of my Republicans challenged the Biden administration as being too soft on corruption issues in the Americas.

I was asked about my Republican colleagues' critiques, and I would say: Well, I got a critique, too. I wouldn't say they are too soft, but I would say they are too inattentive. I don't think we have, under this administration or the previous administration or the previous administration—going back nearly to the beginning of this country, I don't think we paid the attention to the Americas that we should.

And when we only pay episodic attention to the Americas, a lot of bad things happen in Western Hemisphere countries that end up making things worse for us. But if there is a critique to be laid against the Biden administration, or any administration in the Americas, we don't solve the critique by leaving key positions vacant that could be used to strengthen our activities in the hemisphere.

I understand that some of my colleagues have objected—and this was raised in the Senate Foreign Relations Committee—to some, frankly, partisan tweets—some annoying and nasty tweets—that my friend Leo Martinez put on his social media accounts.

I want to say to pages: You might want to think about this now because in 10 or 30 years when you are running for the Senate or you are up for a position that is a Senate-confirmed position, anything you tweet is going to be held against you.

But I do think they have to be put into context. My friend Mr. Martinez is a Democrat. And no surprise, he is being nominated by a Democratic administration. He has let his tongue race ahead of his brain on a couple of occasions. But I think all 100 of us have seen this pretty often in the last 10 years, and we have learned to apply a little bit of a discounting to it.

I have voted for many Trump administration nominees who had some negative tweets and even said negative things about me. I didn't like them and I wouldn't have nominated them, but I would acknowledge that they are qualified for the job. And I believe that Mr. Martinez is more than that.

Finally, I want to speak, in particular, to my colleague from Texas, who is here. My colleague from Texas serves with me on the Foreign Relations Committee. I believe I am going to be accurate about this, but I will be corrected if I get any details wrong. He asked Mr. Martinez in some written questions about working together with faith-based organizations in his role in the IDB should he be confirmed because throughout the region and throughout the world, sometimes faith-based organizations are some of the most effective in, for example, providing humanitarian aid, working with refugees, et cetera.

The initial responses from Mr. Martinez, I believe, were not satisfactory to my colleague, and maybe other colleagues as well, but I do believe that Mr. Martinez has tried to amplify those and meet and discuss this issue.

I worked as a missionary in Honduras. I know very powerfully the role that religious organizations do in the region. I know how important it is for us, whether it is USAID or State Department or IDP, to work in tandem with some of these faith-based organizations who do such a powerful job. And everything I know about my friend Mr. Martinez suggests that he would see the value of those partnerships as well.

So with that, Madam President, I ask unanimous consent that notwithstanding rule XXII, the Committee on Senate Foreign Relations be discharged and the Senate proceed to the following nomination: PN1028, Leopoldo Martinez Nucete, to be Executive Director of the Inter-American Development Bank; that the Senate vote on the nomination, with no intervening action or debate; that the motion to re-

consider be considered made and laid upon the table; and that no further motions be in order as to this nomination.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object.

Let me start by expressing agreement with my friend from Virginia on two points he just raised: No. 1, his very good advice to the pages here and to any Senate staff that might be listening. The best thing to do probably is do not tweet. But if you must tweet—and I am guilty of that offense myself—remember that your tweets can and will be used against you; that the internet is forever. And as the father of daughters, I sometimes am terrified of what our children will say and to see it come back to haunt them years and decades later.

And the second thing my friend from Virginia said that I also agree with is he said, administrations from both parties have neglected the Americas. I think that is a serious problem. I am a strong believer in the Monroe Doctrine. I think the United States of America has a pivotal leadership responsibility in North America and in South America. And I think under both Republican and Democrat administrations, too often the executive branch has neglected the vital role of Central America, of South America, of our friends throughout the Americas. I think that problem has been exacerbated under the Biden administration because under the Biden administration, not only have they neglected the hemisphere, but what little attention they have given has had the effect of elevating the extreme left in Latin America—elevating socialists, elevating Marxists, elevating terrorists, and elevating enemies of America.

We see this tragically in the recent election in Colombia, where a strong friend and ally of America is now led by someone who had been a hard-left active terrorist, and I believe the Biden administration's actions, including delisting multiple terrorists from our official terrorism list, played a role in elevating an anti-American leftist in Colombia.

Well, how does that relate to this nomination? I rise to express very significant concerns with the nomination of Mr. Martinez Nucete.

For one thing, at the outset, Mr. Martinez Nucete is a man of the left—a man of the hard left. Now, the Senator from Virginia suggested that he may have sent an ill-advised tweet now and then, and that is true, but that is not the basis of my opposition.

He has been a hard partisan his entire life, and even further than that—and this is really quite remarkable—Mr. Martinez Nucete was actually a Socialist congressman in Venezuela. Under Hugo Chavez, he was a member or his party was a member of Socialist International, and he was a man of the hard left, the anti-American hard left.



Hugo Chavez was an unshakable enemy of America. Nicholas Maduro continues to be a brutal dictator, an illegitimate leader, and an enemy of America.

I believe President Biden nominating a fellow traveler, a Socialist congressman from Venezuela, for a major role dealing with Latin America is astonishingly ill-advised.

Secondly, Mr. Martinez Nucete has expressed an unusual—an odd—hostility to and antipathy for people of faith. This is not something we have seen in many nominees, but his answers have been peculiar in this regard. It is particularly inappropriate for the job to which he has been nominated.

For example, here is what the World Bank says about their role:

The Bank recognizes—

This is speaking of faith-based organizations.

—their distinct strategic value given their unique attributes, including the fact that more than 80 percent of the world's population claims religious affiliations. [Faith-based organizations] are found in every country and offer opportunities for partnership and advocacy on a broad range of key development issues.

It is not just the World Bank. Here is what USAID said:

Faith-based . . . organizations serve some of the most vulnerable populations in the world. They are often the first in and the last to leave, and [are] uniquely qualified to identify and meet local needs.

Indeed, here is what a study actually funded by the Inter-American Development Bank, where Martinez Nucete would be representing the United States, said, the IADB:

All institutions surveyed partnered with community groups and faith-based organizations to provide information.

Now, what are Mr. Martinez Nucete's views? Well, I asked him about them specifically when he came in front of the Senate Foreign Relations Committee. I asked him the extent to which he believed faith should be disentangled from development, because he had previously been quite vocal on his passions in that regard.

Here is his answer:

There should be no entanglement between government and religion. That is a bedrock constitutional principle for us in America. I don't think any particular culture or religion is superior to others in terms of achieving socioeconomic development.

Now, that answer was odd, and it was nonresponsive to the question I asked, so I asked more precisely for Mr. Martinez Nucete to describe the role that faith plays in economic development as a constraint and a contributing factor. And I remind you that these organizations repeatedly said faith-based organizations are integral to success in their mission.

Here is his answer:

Education and respect for human rights, promoting social mobility in market economies, is the key to development, not faith.

That is unusual. That degree of I think myopic hostility to faith and those with faith is odd in any nominee

but particularly one who would be required to deal with faith-based organizations on a daily basis.

I raised these arguments in committee, and he was defeated in the committee. We had an even—a deadlocked vote in the Senate Foreign Relations Committee precisely because of his answers, and then after that, he came back and revised his answers. I would say his revised answers were terrific. Clearly, someone wrote them who apparently does not have a manifest hostility to people of faith. But there is no reason to believe that his first answers were not true and honest and a reflection of his views.

There was a time not too long ago where the U.S. Senate found bipartisan consensus on many issues, including a defense of religious liberty. The Religious Freedom Restoration Act passed this body; I believe the vote was 97 to 3. Numerous iconic, liberal Democrats voted for RFRA. President Bill Clinton signed the Religious Freedom Restoration Act into law. Sadly, we are no longer in that era. Too many in the Democratic Party now have embraced a view that is hostile and antagonistic to people of faith, whether people of the Christian faith, people of the Jewish faith, or people of other faiths. I wish that were not the case.

Nevertheless, I believe it is inappropriate for the U.S. representative on a development board that is required to deal with faith-based organizations on a regular basis to be both an extreme man of the left who was a Socialist congressman under Hugo Chavez and an individual who has expressed repeated antipathy to people of faith. Accordingly, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Virginia.

Mr. KAINE. Madam President, just a brief response. I will not respond to Senator CRUZ's representation of Mr. Martinez's testimony before the Senate Foreign Relations Committee. He has his opinion about what those words mean, and I think he quoted them accurately. But I would just say for anyone, you can go and look at that quote and decide for yourself whether you think that was a statement that was hostile to faith or whether that was a statement by a bank or business guy financier about what he thought were the most important issues that an international development bank should be focused on.

I read those same comments as not hostile or antipathetic to faith; I view them as comments of an individual who has been in the finance industry who knows what the remit of the international development bank is and is talking about his own priorities in terms of how that bank should program their work.

But I do want to respond to the first point. Senator CRUZ is correct about Mr. Martinez's past. He grew up in Venezuela. He was initially in a government that apparently had a lot of

promise to offer to Venezuelans because Mr. Chavez was elected by Venezuelans in a democratic election overwhelmingly. But my colleague didn't tell you the rest of the story.

Mr. Martinez is now a political exile from Venezuela who was part of the Venezuelan opposition, who has been strong in critiquing the human rights' record of both the Chavez and Maduro regimes, and I think that is actually one of the reasons that President Biden nominated him for this position. If anyone knows the danger of authoritarian governments, including authoritarian governments from the left in the Americas, and knows what it will take for America to counter that with smart strategies, it is somebody who grew up in that culture and came to realize the dangerous path that his country was on.

I think whoever is the IDB President is going to have an awful lot of work to do, but the single largest challenge in the Americas right now, at least in terms of pushing refugees out of the country, is in Venezuela. And who better than someone who knows it firsthand and, after seeing it, decided to become a dedicated member of the Venezuelan opposition in exile in the United States—who better to counter that influence?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### NATIONAL SECURITY

Mr. CORNYN. Madam President, for each of the past 61 years straight, the Senate has passed the National Defense Authorization Act. I still remember the Presiding Officer's predecessor, John McCain, who used to rail on the Senate to get this done and making the very correct point that this should be the No. 1 priority of the U.S. Congress—making sure that our men and women in uniform received the training, the support, and the weapons they need in order to keep America safe.

The annual Defense bill is part of Congress's commitment to give our men and women in uniform the resources they need to surmount the growing threats of today and prepare for the ones that inevitably will come tomorrow.

As we know here in the Senate, the global threat landscape is not getting easier. It is getting more and more dangerous. Some of the changes happen quickly and can be traced to a single moment in time.

For example, September 11, 2001, changed everything in our conversation and our acts to fight terrorism across the world. That single day and that single act forced us to reexamine our longstanding military paradigm



and change course as rapidly as we could.

But other threats grow over time. Just look at the rise of the People's Republic of China. Over the course of roughly four decades, China has transformed itself from a poor, isolated country to the world's second largest economy. Its wealth is used to finance a powerful military, with increasingly aggressive and hostile acts.

Looking back over the last year or so, it is remarkable to consider how much has happened and how quickly the global threat picture has shifted.

Last year at this time, American troops were still on the ground in Afghanistan, but President Biden made the decision to retreat ahead of the 20th anniversary of September 11, and our servicemembers and diplomats were preparing for what we assumed would be an orderly withdrawal. There wasn't much optimism about the long-term fate of the Afghan Government, but it was expected to hold out for at least 6 months following our withdrawal.

At the same time, tensions between Russia and Ukraine were high, but nothing really much new. The countries have had a long, tense relationship since the collapse of the Soviet Union, but there didn't seem to be any reason for immediate alarm. Ukrainian cities were as vibrant, lively, and free as ever.

In a little over a year's time, though, all of that has changed. The Taliban took control of Afghanistan before our troops even exited, leading to a chaotic exit and the loss of 13 heroic servicemembers and other Americans left behind.

In this period of time, Russia has launched an unprovoked war on Ukraine, bringing death and destruction to the Ukrainian people. Over the past several months, thousands of Ukrainian civilians have died and more than 13 million have been displaced. Europe is now experiencing the largest refugee crisis since World War II.

To finance its ongoing war machine, Russia is developing even closer ties to communist China. Meanwhile, North Korea has declared itself a nuclear weapons state. Iran appears to be inching even closer to acquiring a nuclear weapon, and China's threats against Taiwan have only grown more dangerous in this period of time.

It is striking to consider how much has changed in such a short period. Last summer, it would have been nearly impossible for us to predict that this is where we would be some 14 months later.

I am reminded of former Secretary of Defense Bob Gates' words in 2011. He said:

When it comes to predicting the nature and location of our next military engagements, since Vietnam, our record has been perfect. We haven't gotten it right once.

Of course, he is absolutely correct. It is impossible to anticipate the challenges that face us and that are on the

horizon, but that doesn't mean we should sit idly by and hope that we are ready for what is coming. There is simply no security in that sort of fantasy. We need to start taking actions today to ensure that we are prepared for whatever comes knocking at our door.

Everybody knows that in order to secure our defense and be prepared to deter aggression from aggressive actors we need money. We need to make sure that we have the weapons that are needed not only to supply countries like Ukraine, not only to replenish the supply from our NATO allies that have been, in turn, supplying weapons to Ukraine, but we need to be ready for whatever comes knocking at our door.

Our military leaders need to plan and train every single day for the unknown, and that is exactly why a strong, on-time National Defense Authorization Act is absolutely critical. Now more than ever, we need to take stock of evolving threats and start preparing.

One of the problems that Britain faced in World War II is they did not heed Winston Churchill's warning about the growing military strength and ambitions of Nazi Germany. Britain, in the end, as a result, was hanging on by a thread, and that is where the United States got involved in becoming the arsenal of democracy in the Lend-Lease Program, which provided the Brits the military equipment they needed, the aviation platforms, and the weapons in order to defend themselves and to survive until the United States got involved in World War II, following the attack at Pearl Harbor by the Japanese.

Over the last 20 years, we have developed a military that is used to fighting unconventional, asymmetrical threats, like insurgent groups in the Middle East. We have been focused on the war on terrorism since 9/11, but things have changed in the interim. Now, a conflict with China or Russia seems more likely.

To prevent or to prevail in such a conflict, we need a more conventional, highly technological modern military.

In addition to determining what capabilities we need, we also have to ask ourselves whether our defense industrial base—that arsenal of democracy, as Franklin Roosevelt called it in World War II—whether our defense industrial base can even support the production of what our military will need to prepare for in the future.

There is clearly a lot of work that needs to be done, but, like a lot of things, it can't happen overnight. That is why it is so important that we get started today. In order for the military to invest in these new programs and capabilities to deter Chinese and Russian aggression against American interests and American allies and in order to send the demand signal to our industrial base for new and emerging defense requirements, we have to pass the National Defense Authorization Act.

It is not just the long-term threats that we need to address. We need to close the near-term security gaps too. If another conflict came knocking at our door today, we would be at a tremendous disadvantage; and that is, as I said, because the United States has been supplying weapons to Ukraine to defend its own sovereignty. But when we do that, that means those weapons are not available to us should President Xi decide to invade Taiwan or some other military conflict pops up around the world.

We provided Ukraine with unprecedented defense aid, including Javelins, Stingers, grenade launchers, small arms, ammunition, and much more. This assistance, to be sure, is not a handout. This is not a charity project. Like our allies, the United States has made a strategic decision to invest in the outcome. It is not just that we want Ukraine to win this war; we also need Russia to lose. We cannot risk a Russian victory that will embolden the Kremlin to push its fight even farther West.

There is no question that this is the right thing to do, both strategically and morally, but we must remain clear-eyed about the risks that our assistance carries. Every piece of equipment or weapon that we send is one less that we have ourselves in our arsenal. We need to ensure that the assistance that we provide does not end up weakening our own military readiness. The cards are already stacked against us, and we certainly don't need to weaken our own hand.

That is why Senator SHAHEEN and I have introduced the Securing American ARMS Act, which will help us replenish our defense stockpiles more quickly. The Pentagon is already working toward this goal, but there are a lot of bureaucratic hurdles and just redtape that stand in the way.

The Defense Department can't place an order for more Javelins and have them show up at the Pentagon 5 to 7 business days later. It doesn't work like that. The process of purchasing, manufacturing, and deploying lethal aid takes a lot of time which, frankly, we don't have.

That is where the Securing American ARMS Act comes in. This bill will remove some of those time-consuming hurdles to allow the Defense Department to fast-track the procurement process. It will allow us to provide critical support for our partners and allies now and in the future without compromising our own national defense.

I appreciate Senator SHAHEEN working with me on this bill, which now has more than a dozen bipartisan cosponsors. I am offering this legislation as an amendment to the National Defense Authorization Act, and I hope my colleagues will join me in supporting its inclusion in the final bill.

Now more than ever, a well-prepared and well-funded military is an imperative. The rapid changes in the threat landscape should serve as a wake-up

call for anyone who thinks we can carry on with the status quo.

For our forces to continue fighting and defeating evil in every corner of the world, we need to provide that funding. They need the stability, and they need the unwavering support of the U.S. Congress.

As new powers rise and old powers fall, our country must be prepared for whatever changes are on the horizon. Congress has a critical role in that preparation, and we can't ignore our responsibility. We need to pass a strong National Defense Authorization Act as soon as possible, and I would urge Senator SCHUMER, the Senate majority leader, to bring that bill to the floor as soon as possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Ohio.

#### REMEMBERING QUEEN ELIZABETH II

Mr. PORTMAN. Mr. President, I rise today to pay tribute to the life and service of Her Majesty Queen Elizabeth II, who was laid to rest in Windsor Castle just yesterday.

Queen Elizabeth conducted herself with dignity and grace and represented the best of the United Kingdom to the world. She was unwavering in her support for the United States, and the American people reciprocated with their admiration and respect for her.

My sympathies to the royal family and to the people of Great Britain. We treasure our unique relationship and America stands with you once again as we mourn your loss.

#### UKRAINE

Mr. President, I am here on the floor of the Senate for the 23rd week in a row to bring to the attention of the Senate, to my constituents, and to the American people the latest news of Russia's illegal, unprovoked, and brutal war against Ukraine.

I will talk about the disturbing news from Ukraine, about more Russian war crimes, and I will discuss the upcoming vote on the supplemental spending bill for the effort in Ukraine and why it is so important right now to continue to support Ukraine as it makes progress in pushing back against Russia's war of aggression.

Last week, I spoke about Ukraine's stunning advances up here in the north around Kharkiv. After distracting the Russians with a counteroffensive here in the south near Kherson, the Ukrainian Army launched a surprise counteroffensive in the north and punched through the Russian lines. In just a matter of days—as you see in the light blue part of the map here, in just a matter of days, the Ukrainian Army

was able to liberate roughly 300 settlements across 3,000 square miles and liberate over 150,000 Ukrainians from Russian occupation. They also managed to capture hundreds of pieces of Russian military equipment and vehicles and ammunition. So now, instead of being used to kill and subjugate innocent Ukrainian citizens, these vehicles, the equipment, and the munitions can be used by Ukrainian forces to liberate their fellow citizens from Russian tyranny. There were stories of Russian soldiers abandoning their equipment and stealing Ukrainian cars to make their escape—even stealing motorbikes and bicycles.

Last Wednesday, Ukraine's President Zelenskyy visited a town in this area. The town is called Izium. Izium is located right here on the map. It is a very strategic town for the Russians. Just 4 days before he stepped foot there, this town was under Russian occupation, and even when he visited, the frontline was only about 6 miles away.

Izium had been used as an important logistics hub from which the Russians attacked south and east into the Donbas region—down into this area. This was supposed to be the northern part of the pincer that Russia would use to trap Ukrainian forces in the Donbas. The Ukrainian forces who were here had to deal with this area that would be used as a station ground to build a cut-off to Ukrainian troops. Instead, it is now under Ukrainian control.

There were reportedly 10,000 Russian soldiers in this town of Izium, and most thought it would be months before Ukraine would recapture it. But after just a couple of days of a lightning strike, this town, which had been held by the Russians for 6 months, is now free, its Russian occupiers on the run.

Unfortunately, what the occupiers left behind was not just military equipment, but clear evidence of Russian atrocities. Ukrainian officials say multiple graves have been found near the city's cemetery. President Zelenskyy has said it contained the bodies of civilians—civilian adults, civilian children—as well as Ukrainian soldiers showing signs of violent deaths including evidence of torture.

Oleksandr Filchakov, the chief prosecutor of the Kharkiv region, has confirmed that at least 445 graves were at one site in this town. Here is a photo of some of the corpses that had been discovered.

Some corpses had their hands tied behind their backs. Others had ropes around their necks. Some victims are still being identified, but as an example, investigators have confirmed that among the dead are the entire Stolpakov family—Elena, her husband Dmitry, 6-year-old Olesya, 8-year-old Sasha, and Elena's parents. They were killed by a Russian air strike on their home in this region. Again, another target—a civilian target of Russian missiles.

Nearly 400 civilian graves in Izium were found near a previous graveyard; but near there, they also found 17 graves of Ukrainian soldiers. Their hands were all tied, and they appeared to be shot at close range. They were in a single mass grave, bodies piled upon one another.

They were executed. So those killed in Izium were men, women, children, soldiers, and noncombatants alike—more victims of Russia's brutal and unprovoked war. CNN described the scene this way:

Even the heavy rainfall couldn't erase the smell of death in pine forests in Izium.

President Zelenskyy described it as “cruelty and terrorism.” Ukrainian Ambassador to the United States, Oksana Markarova said yesterday that the scene was one of “torture, rapes, killings, and war crimes of a massive proportion.” It is indeed inhumane and genocide, but it is not the first time we have seen evidence of Russia committing such horrible atrocities.

A commander in the National Guard announced that his team is also hunting for additional graves reportedly of people who were abused, victims who were abused, at a detention center in Kozacha Lopan, north of Kharkiv. It is this area up here. Certainly, we will learn about many more graves and many more atrocities in this area as we begin to discover more and more of these war crimes being committed by the Russians.

Over the weekend, President Zelenskyy also said that Ukrainian forces had found 10 makeshift torture chambers throughout the liberated territories in that Kharkiv region. According to him, some of these rooms had tools for Russian soldiers to conduct electric torture on innocent Ukrainians. This photo is from inside one of these cellars—one of these makeshift torture chambers—that were found in the Kharkiv region. Here you can see where a prisoner actually scratched the Lord's Prayer on the wall of the torture chamber.

The liberating soldiers are also recovering bodies on the battlefield, which is where they are aligned too often in farm fields or woods, just left to rot in the fields and the woods. This is what Russia has done to Ukraine. This is not a one-off event.

When Senator KLOBUCHAR and I were in Ukraine 3 weeks ago, we visited Bucha, a suburb of Kyiv, and we saw the spot where Russian soldiers had dug a mass grave for dozens of innocent civilians they had murdered during their occupation. Sadly, the murder, the torture, and the rape discovered in Bucha was not unique. These horrific events that happen behind Russian lines often aren't known to the world until that area is liberated by Ukrainian forces. One has to wonder what other Russian horrors are currently occurring in occupied areas that we will witness when Ukraine finally liberates the rest of its territory.

This is the grim reality of Russia's war. President Putin claims that his

war is about liberating Ukrainians and reuniting them with the Ukrainian “brothers and sisters,” but this photo is not what brothers and sisters do to each other. This is not a war of freedom or a war of liberation. This is a war of conquest and genocide. And over the weekend, we also got a glimpse of what happens to the Ukrainian children who have lost their parents in this war and fall into Russia’s hands.

Russia’s Presidential Commissioner for Children’s Rights, who by the way has been sanctioned by the United States, recently stated that Russian authorities are placing 125 Ukrainian orphans with Russian families. Of course, the natural solution here would be to put these children in the care of their extended family members in Ukraine, allow them to stay in their country, but that is not their objective. Russia’s goal isn’t to provide a better future for these children. Their goal is to erase their Ukrainian identity and turn them into Russians. Under the rules laid down by the United Nations, “forcibly transferring children of one group to another group” constitutes genocide. Another example.

Frustrated by Ukrainian gains in the northeast and in the south that we have seen on these maps, Russians have begun bombing civilian infrastructure at increased rates, like powerplants and dams, threatening the livelihoods of millions of innocent Ukrainians. Unfortunately, we have to expect more missiles being fired into Ukraine to terrorize civilians.

Just this weekend, a Russian missile struck about 300 yards away from a nuclear powerplant in southern Ukraine, threatening a nuclear disaster. Now this was not the Zaporizhia plant that we have talked about a lot on this floor. This is another powerplant. The Zaporizhia plant, as you know, is the largest nuclear powerplant in all of Europe. It provides 20 percent of electricity—or did—to the country of Ukraine. That is a plant that the Russians are using as a shield, much as they have used energy as a weapon, including in Europe, cutting off energy unless Europe agrees to stop the necessary sanctions. They have used food as a weapon, bombing grain bins in the Odesa region, keeping food from going to starving people in Africa. Now they are actually using nuclear powerplants as weapons in this war. It is all reckless; it is all dangerous, but this risks a catastrophe by creating a military zone around a nuclear powerplant and firing on Ukrainian forces from there and actually exploding parts of the plant that connect to Ukraine. This is incredibly dangerous and risks something like the tragedy we had at Chernobyl.

So all of this is precisely why we need to continue to give Ukraine the help it so desperately needs. Vladimir Putin will continue his reign of terror against the neighbor that just wants to live in peace, unless he knows that

there are consequences. He is betting that he can use terror to intimidate Ukraine and its allies into surrendering.

Let me be clear, I want this brutal war to end as much as anyone else in this Chamber, but the responsible way to end this war is not to stop providing our assistance to our allies and watch as Ukraine slowly falls to Russian domination. The right way to end this war is to actually win it, to continue to provide Ukraine the weapons it needs to keep advancing and liberating territory, like it did over these past few weeks. For the sake of global freedom, Ukraine must be allowed to end this war on its own terms, not Russia’s.

That is why, when this Chamber votes on the continuing resolution to keep government open next week, I urge my colleagues to also support the expected supplemental request for additional Ukraine funding. Most important to me, frankly, is the military support, including needed ammunition for the weapons they already have and including refilling our own stockpiles of military weapons and ammunition. This is one way we can show Vladimir Putin that we will not stand for his war crimes. The West and our allies all need to recognize that these Russian atrocities will not stop until there are more victories on the battlefield and until sanctions are more effective at cutting off funding to Russia’s war machine. The world is watching, and if President Putin’s military is not held accountable for these atrocities, it sends a signal to other rogue leaders that they will be able to get away with the same types of war crimes.

As Congress considers this latest request for support, I hope my colleagues will think about four things.

One, the mass graves I mentioned at the beginning of my speech. We should not turn a blind eye to the indiscriminate violence Russia has wrought on Ukraine. Vladimir Putin will continue his reign of terror against the neighbor that just wants to live in peace unless he knows, again, that there will be consequences. As President Zelenskyy said, “Russia leaves death everywhere and must pay for it.”

Second, despite these atrocities, Ukraine is turning the tide of the war, in large measure, because of our help. It is working. This map, to me, is very interesting because it shows here on February 24, after the invasion of Ukraine on that date, how much territory that the Russians controlled, not just the parts that they had already controlled, down here in Crimea, here in Luhansk and Donetsk. But look at all the territory that they controlled at that time, including right up to the city of Kyiv. This is where the famous battle occurred at the airfield outside of Kyiv where they had planned to bring in heavy weapons and more military and topple the government in the capital of Kyiv. But, look, all this in red, all of this in red; and today here we are. So we have made progress. The

Russians have come along the Donbas area. And now, more recently, of course, we have made additional progress, here and here, to push the Russians back. This would not have happened without the support of this body. And we must think about that as we look at this additional request for funding. We are making a difference. Specifically, thanks to this Congress, these long-range missiles called HIMARS have been extremely effective in enabling Ukraine to be able to strike behind enemy lines and disrupt Russia in ways no one thought possible. Before the Russians were sitting back and firing on Ukrainian positions and Ukrainians couldn’t respond because they couldn’t reach the Russian guns. They were firing with impunity, killing civilians, killing Ukrainian soldiers. Now, with these new weapons, these HIMARS, these longer range missiles coming from the United States, coming from the UK, coming from Germany, Ukrainians are able to hold their own and more, as we see with their advances in the south and in the northeast.

We need to keep it up, particularly at a time when Russia is getting help from its own partners. As our Republican leader, Senator McCONNELL, pointed out, Iran is equipping the Russian military with armed drones like the ones that they used against American forces in Syria and Iraq. Additionally, there are reports that North Korea has supplied Russia with artillery shells.

Third, I would ask my colleagues to remember this is not just about Ukraine. We have got to remember that Vladimir Putin has said that “the borders of Russia never end.”

Earlier this summer, President Putin said he views Ukraine as basically just the first step toward recreating the Russian empire. His advisers have made similar statements about their intent with regard to this war. It is not just about Ukraine.

What the United States does matters. What we do in defense of global freedom not only shows the world we will stand up for Ukraine against a rogue authoritarian attacking an ally, but our actions show our adversaries that we are ready to defend democracy around the world. And it is not just the United States providing this military support, just remember that. Forty-nine other countries are contributing, in one way or another, weapons, ammunition, training, and so on. And with regard to economic support, more countries than 50 are providing help to Ukraine.

Fourth, I ask my colleagues to remember that there are important guardrails to ensure this assistance from the U.S. taxpayers is very well accounted for, and there should be. While in Poland recently, Senator KLOBUCHAR and I met with the 101st Airborne to discuss their unprecedented end-use monitoring of our military equipment that goes into Ukraine. This has

ramped up even further with the addition of our Embassy staff on the ground in Kyiv, which we also heard about when we were there, to ensure there is no diversion of the military assistance that we are providing. Again, this is an unprecedented level of accountability, and it is necessary. Transparency is absolutely needed and promised by the Ukrainians. I will say that from President Zelenskyy to members of his government, to members of Parliament we met with, everyone said the same thing; they too want total transparency and accountability. It is very important to them. Just as they are continuing their reforms against corruption even in the face of this war, they want transparency with regard to all the aid. They have an accounting firm in Ukraine that is following the budgetary funding that goes from this place, this Congress, to Ukraine as well. And they have a need and an interest in transparency themselves.

With regard to the end game in Ukraine—and some have asked me about here on this floor—I believe Ukraine's Ambassador to the United States, Oksana Markarova, said it well:

Ukraine will not rest until all our country is free, all our people are back and Russia is brought to justice.

As Russia's military suffers setbacks in Ukraine, that is actually good news for the freedom-loving countries of the world. For decades, Russia has used its military to threaten and coerce its neighbors. Think of Russia's invasion of Ukraine this year and back in 2014 when they invaded Crimea and the Donbas. Russia, under its current government, is a threat to all of its neighbors. Think about its invasion in Georgia in 2008, and its ongoing occupation of parts of Moldova, just to name a couple.

As Russia's military is weakened, Europe and the United States are made safer. So our support matters. Global support matters. I believe President Putin responds to strength, and weakness on our part would only invite more aggression. Helping Ukraine is just one way to show our strength and to show our resolve as a country and as an alliance. I noted last week that we are finally seeing the fruits of our labor when you look at the progress that has been made. The support now is more important than ever. Three thousand—three thousand square miles of territory has been liberated just in the past few weeks.

This is the battle of our generation. This is the fight between authoritarianism and democracy on the world stage—the fight between evil and good. Freedom is at stake. Ukrainians are fighting for that. They are fighting for democracy, for the right to live free, for the right to chart their own course; and, as we have seen, they will fight like hell for it. We see this every single day in their courage and their resolve. They are fighting for their family. They are fighting for

their homeland. They are fighting for their freedom.

When Senator KLOBUCHAR and I met with President Zelenskyy last month, he started and ended our discussion with expressing gratitude to the American people for their willingness to stand with Ukraine. He spoke about Russia's war on his country as our joint battle as all freedom-loving countries strive toward our joint victory. Ukraine is the shield of democracy. It is bearing the full brunt of the aggression that Russia has threatened against Europe for years and is still standing strong.

It is in our interest that Russia's military aggression ends here. The sword of Russian imperialism must be broken in Ukraine by Ukrainians, and the United States and our allies need to continue to provide those brave Ukrainians with the tools they need to be successful.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

#### EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, the Senate consider the following nominations en bloc: Calendar Nos. 1120 and 1059; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table; and that the President be immediately notified of the Senate's action.

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

The question is, Will the Senate advise and consent to the en bloc nominations of Randy W. Berry, of Colorado, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Namibia; and Robert A. Wood, of New York, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador?

The nominations were confirmed en bloc.

#### LEGISLATIVE SESSION

##### MORNING BUSINESS

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

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

##### BUDGET SCOREKEEPING REPORT

Mr. SANDERS. Mr. President, I wish to submit to the Senate a budget

scorekeeping report. The report, which covers fiscal year 2022, was prepared by my staff on the Budget Committee and the Congressional Budget Office pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This information allows the Senate Budget Committee to determine if budgetary points of order lie against pending legislation.

The report shows the effect on spending and revenues of congressional action through September 15, 2022, as compared to the levels the Senate agreed to in the budget resolution for fiscal year 2022, S. Con. Res. 14. Since my last scorekeeping report on April 28, seven laws with significant budgetary effects have been signed by the President, and I have revised the levels in the budget resolution two times for legislation.

The Democratic staff of the Budget Committee prepared tables 1 and 2. Table 1 compares the mandatory spending of each authorizing committee against the enforceable allocations under section 302 of the Congressional Budget Act. It shows 10 of the 16 authorizing committees are in compliance with their allocations, either because no legislation with significant budgetary costs was enacted or the legislation qualified under the budget resolution for an allocation adjustment. Most of the spending above allowable levels is attributed to either the CHIPS Act of 2022 or the Honoring our PACT Act of 2022.

Table 2 shows the Senate pay-as-you-go—PAYGO—scorecard tallying enacted legislation with significant effects on mandatory spending and revenues. The scorecard shows a savings of \$4.7 billion in 2022, a deficit of \$174 billion over the 2022–2026 period, and a deficit of \$528 billion over the 2022–2031 period. When compared to the allowable amounts on the PAYGO scorecard last adjusted on September 12, there is a deficit of \$1.3 billion on the scorecard for 2022, \$185 billion over the 2022–2026 period, and \$667 billion over the 2022–2031 period.

In addition to these tables, I am submitting a letter from the Congressional Budget Office with further detail. For fiscal year 2022, current budgetary levels are within allowed amounts. Current law budget authority is \$2.6 billion below the maximum allowed in the revised budget resolution, outlays are \$17 billion below the allowed maximum, and revenues are \$68 million above the allowed minimum. The tables also show that there has been no net change for Social Security.

I ask unanimous consent that the letter and accompanying tables from CBO be printed in the CONGRESSIONAL RECORD.

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

TABLE 1.—SENATE AUTHORIZING COMMITTEE SPENDING COMPARED TO ALLOCATIONS

(\$ In millions, positive numbers represent spending above enforceable limits)

	2022	2022–2026	2022–2031
Agriculture, Nutrition, and Forestry:			
Budget Authority .....	–2,293	–293	–393
Outlays .....	287	707	607
Armed Services:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Banking, Housing, and Urban Affairs:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Commerce, Science, and Transportation:			
Budget Authority .....	24,403	55,400	60,445
Outlays .....	2	25,582	55,329
Energy and Natural Resources:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Environment and Public Works:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Finance:			
Budget Authority .....	454	770	67
Outlays .....	525	742	–43
Foreign Relations:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Health, Education, Labor, and Pensions:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Homeland Security and Governmental Affairs:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Indian Affairs:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Intelligence:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Judiciary:			
Budget Authority .....	6	408	782
Outlays .....	6	391	769
Rules and Administration:			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Small Business and Entrepreneurship:			
Budget Authority .....	0	10	93
Outlays .....	0	1	60
Veterans' Affairs:			
Budget Authority .....	2,114	191,809	679,440
Outlays .....	630	183,533	667,116

TABLE 1.—SENATE AUTHORIZING COMMITTEE SPENDING COMPARED TO ALLOCATIONS—Continued

(\$ In millions, positive numbers represent spending above enforceable limits)

	2022	2022–2026	2022–2031
Memo—all committees, total over allocation:			
Budget Authority .....	24,684	248,104	740,434
Outlays .....	1,450	210,956	723,838

TABLE 2.—SENATE PAY-AS-YOU-GO SCORECARD (\$ In millions, positive numbers increase deficits)

	2022	2022–2026	2022–2031
Deficit Impact of Legislation Enacted Through September 15, 2022 .....	–4,699	173,934	528,190
Allowable Amounts .....	–6,046	–10,925	–138,777
Resulting Breach .....	1,347	184,859	666,967

Detail about enacted legislation is available in CBO's Table 3, below. Allowable amounts were last adjusted on September 12, 2022.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, September 20, 2022.

Hon. BERNIE SANDERS,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2022 budget and is current through September 15, 2022. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the *Congressional Record* on September 23, 2021, pursuant to section 4006 of S. Con. Res. 14, the Concurrent Resolution on the Budget for Fiscal Year 2022.

Since our last letter dated April 27, 2022, the Congress has cleared and the President has signed the following legislation that has significant effects on budget authority, outlays, or revenues in fiscal year 2022:

Veterans Rapid Retraining Assistance Program Restoration and Recovery Act of 2022 (P.L. 117–138);

Keep Kids Fed Act of 2022 (P.L. 117–158); Bipartisan Safer Communities Act (P.L. 117–159);

Formula Act (P.L. 117–160);

The Supreme Court Security Funding Act of 2022 (P.L. 117–167);

Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022 (P.L. 117–168); and

An act to provide for reconciliation pursuant to title II of S. Con. Res. 14 (P.L. 117–169).

Sincerely,

PHILLIP L. SWAGEL,  
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2022, AS OF SEPTEMBER 15, 2022

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority .....	4,385.7	4,383.1	–2.6
Outlays .....	4,505.6	4,488.8	–16.8
Revenues .....	3,409.9	3,409.9	0.1
Off-Budget			
Social Security Outlays <sup>a</sup>	1,073.4	1,073.4	0.0
Social Security Revenues	989.0	989.0	0.0

Source: Congressional Budget Office.

<sup>a</sup> Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2022, AS OF SEPTEMBER 15, 2022

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted			
Revenues .....	n.a.	n.a.	3,401,380
Permanents and other spending legislation .....	2,577,318	2,772,180	n.a.
Authorizing and Appropriation legislation .....	1,258	787,925	n.a.
Offsetting receipts .....	–1,174,944	–1,182,329	n.a.
Total, Previously Enacted .....	1,403,632	2,377,776	3,401,380
Enacted Legislation <sup>a</sup>			
Authorizing Legislation			
Extending Government Funding and Delivering Emergency Assistance Act (P.L. 117–43) .....	1	32	1
Infrastructure Investment and Jobs Act (P.L. 117–58) .....	674	–7,011	8,495
Protecting America's First Responders Act (P.L. 117–61) .....	2	2	0
Further Extending Government Funding Act (P.L. 117–70) .....	0	5	0
Protecting Medicare and American Farmers from Sequester Cuts Act (P.L. 117–71) .....	7,650	7,144	0
REMOTE Act (P.L. 117–76) .....	227	227	0
Further Additional Extending Government Funding Act (P.L. 117–86) .....	0	1	0
Consolidated Appropriations Act, 2022 (divisions O through HH of P.L. 117–103) .....	790	513	–17
Postal Service Reform Act of 2022 (P.L. 117–108) .....	–62	–62	0
Suspending Normal Trade Relations with Russia and Belarus Act (P.L. 117–110) .....	0	0	92
Veterans Rapid Retraining Assistance Program Restoration and Recovery Act of 2022 (P.L. 117–138) .....	0	3	0
Keep Kids Fed Act of 2022 (P.L. 117–158) .....	–2,293	287	0
Bipartisan Safer Communities Act (P.L. 117–159) .....	7,503	1	1
Formula Act (P.L. 117–160) .....	0	0	–9
Supreme Court Security Funding Act of 2022 (P.L. 117–167) .....	24,150	0	0
Honoring our PACT Act of 2022 (P.L. 117–168) .....	1,807	380	0
Inflation Reduction Act of 2022 (P.L. 117–169) .....	208,891	2,378	0
Appropriation Legislation			
Continuing Appropriations Act, 2022 (division A of P.L. 117–43) .....	2	6	0
Disaster Relief Supplemental Appropriations Act, 2022 (division B of P.L. 117–43) .....	0	89	0
Further Continuing Appropriations Act, 2022 (division A of P.L. 117–70) .....	1,600	928	0
Further Additional Continuing Appropriations Act, 2022 (division A of P.L. 117–86) .....	350	251	0
Consolidated Appropriations Act, 2022 (divisions A through L of P.L. 117–103) .....	2,658,572	2,101,996	0
Total, Enacted Legislation .....	2,909,864	2,107,170	8,563
Entitlements and Mandatories	69,603	3,819	0
Total Current Level .....	4,383,099	4,488,765	3,409,943
Total Senate Resolution <sup>b</sup> .....	4,385,671	4,505,576	3,409,875
Current Level Over Senate Resolution .....	n.a.	n.a.	68
Current Level Under Senate Resolution .....	2,572	16,811	n.a.
Memorandum			
Revenues, 2022–2031			
Senate Current Level .....	n.a.	n.a.	39,089,310
Senate Resolution .....	n.a.	n.a.	39,111,756
Current Level Over Senate Resolution .....	n.a.	n.a.	n.a.
Current Level Under Senate Resolution .....	n.a.	n.a.	22,446

Source: Congressional Budget Office.  
n.a. = not applicable; P.L. = public law.

For purposes of enforcing section 311 of the Congressional Budget Act of 1974 in the Senate, the aggregate spending and revenue levels for 2022 published in the Congressional Record on September 23, 2022, by the Chairman of the Senate Committee on the Budget pursuant to section 4006 of the Concurrent Resolution on the Budget for Fiscal Year 2022 (S. Con. Res. 14) do not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current level report do not include those items.

In keeping with the 21st Century Cures Act (P.L. 114–255), certain funding for the Department of Health and Human Services is excluded from estimates for the purposes of the Congressional Budget Act and the Balanced Budget and Emergency Deficit Control Act of 1985. As a result, this estimate excludes \$546 million in budget authority and \$537 million in outlays. Similarly, in keeping with section 14003 of the Coronavirus Aid, Relief, and Economic Security Act (P.L. 116–136, as modified by section 101 of division AA of the Consolidated Appropriations Act, 2021 (P.L. 116–260)), certain funding provided to the Army Corps of Engineers is excluded from estimates for the purposes of the Budget Act and the Deficit Control Act. As a result, this report excludes \$2,099 million in budget authority and \$2,083 million in outlays.

<sup>a</sup> Current level excludes budgetary effects designated as an emergency pursuant to section 4001 of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022. As a result, this report excludes the budgetary effects of laws, enacted this session, which were designated as emergency requirements in accordance with section 4001 of S. Con. Res. 14. Those amounts are as follows:

	Budget Authority	Outlays	Revenues
Emergency Repatriation Assistance for Returning Americans Act (P.L. 117–39) .....	4	4	0
Continuing Appropriations Act, 2022 (division A of P.L. 117–43) .....	2,500	1,250	0
Disaster Relief Supplemental Appropriations Act, 2022 (division B of P.L. 117–43) .....	28,633	10,994	0
Afghanistan Supplemental Appropriations Act, 2022 (division C of P.L. 117–43) .....	6,664	3,550	0
Infrastructure Investment and Jobs Act (P.L. 117–58) .....	158,630	14,044	0
Additional Afghanistan Supplemental Appropriations Act, 2022 (division B of P.L. 117–70) .....	7,011	1,880	0
Department of Homeland Security Appropriations Act, 2022 (division F of P.L. 117–103) .....	0	10	0
Ukraine Supplemental Appropriations Act, 2022 (division N of P.L. 117–103) .....	13,601	1,731	0
Additional Ukraine Supplemental Appropriations Act, 2022 (P.L. 117–128) .....	40,149	4,897	0
Bipartisan Safer Communities Supplemental Appropriations Act, 2022 (division B of P.L. 117–159) .....	2,045	66	0
Supreme Court Security Funding Act of 2022 (division C of P.L. 117–167) .....	19	0	0
<b>Total, Emergency-Designated Budgetary Effects .....</b>	<b>259,256</b>	<b>38,426</b>	<b>0</b>

<sup>b</sup> Section 4006 of S. Con. Res. 14 requires the Chair of the Senate Committee on the Budget to publish the aggregate spending and revenue levels for fiscal year 2022: those aggregate levels were first published in the Congressional Record on September 23, 2021. The Chair of the Senate Committee on the Budget has the authority to revise the budgetary aggregates for the budgetary effects of certain revenue and spending measures pursuant to the Congressional Budget Act of 1974 and S. Con. Res. 14:

	Budget Authority	Outlays	Revenues
Original Aggregates Printed on September 23, 2021: .....	4,137,815	4,497,102	3,401,380
Revisions:			
Published in the Congressional Record on December 9, 2021 .....	7,650	7,144	n.a.
Published in the Congressional Record on December 14, 2021 .....	n.a.	n.a.	n.a.
Published in the Congressional Record on February 8, 2022 .....	n.a.	n.a.	8,495
Published in the Congressional Record on March 2, 2022 .....	612	–3,754	n.a.
Published in the Congressional Record on April 7, 2022 .....	23,516	3,046	n.a.
Published in the Congressional Record on June 23, 2022 .....	7,097	–340	n.a.
Published in the Congressional Record on September 12, 2022 .....	208,981	2,378	n.a.
<b>Revised Senate Resolution .....</b>	<b>4,385,671</b>	<b>4,505,576</b>	<b>3,409,875</b>

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF SEPTEMBER 15, 2022

(In millions of dollars)

	2021	2022	2021–2026	2021–2031
Beginning Balance <sup>a</sup> .....	0	0	0	0
Enacted Legislation <sup>b,c</sup> :	0	*	*	*
Department of Veterans Affairs Expiring Authorities Act of 2021 (H.R. 5293, P.L. 117–42) .....	0	*	*	*
Extending Government Funding and Delivering Emergency Assistance Act (H.R. 5305, P.L. 117–43) <sup>d</sup> .....	0	*	*	*
Consider Teachers Act of 2021 (S. 848, P.L. 117–49) .....	0	*	*	*
Ensuring Compliance Against Drug Diversion Act of 2021 (H.R. 1899, P.L. 117–53) .....	0	*	*	*
Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 (RENACER Act) (S. 1064, P.L. 117–54) .....	0	*	*	*
Infrastructure Investment and Jobs Act (H.R. 3684, P.L. 117–58) <sup>e,f</sup> .....	0	–15,506	–82,969	–138,704
Confidentiality Opportunities for Peer Support (COPS) Counseling Act (S. 1502, P.L. 117–60) .....	0	*	*	*
Protecting America's First Responders Act of 2021 (S. 1511, P.L. 117–61) .....	0	2	16	28
Colonel John M. McHugh Tuition Fairness for Survivors Act of 2021 (S. 1095, P.L. 117–68) .....	0	*	*	*
Further Extending Government Funding Act (H.R. 6119, P.L. 117–70) <sup>g</sup> .....	0	*	*	*
Protecting Medicare and American Farmers from Sequester Cuts Act (S. 610, P.L. 117–71) .....	0	7,144	7,079	0
An act to award posthumously a Congressional Gold Medal, in commemoration to the servicemembers who perished in Afghanistan on August 26, 2021, during the evacuation of citizens of the United States and Afghan allies at Hamid Karzai International Airport, and for other purposes. (H.R. 5142, P.L. 117–72) .....	0	*	*	*
Responsible Education Mitigating Options and Technical Extensions Act (REMOTEC Act) (H.R. 5545, P.L. 117–76) .....	0	227	231	–1
An act to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People's Republic of China do not enter the United States market, and for other purposes (H.R. 6256, P.L. 117–78) .....	0	*	*	*
An act to authorize the National Medal of Honor Museum Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes (H.R. 1664, P.L. 117–80) .....	0	*	*	*
National Defense Authorization Act for Fiscal Year 2022 (S. 1605, P.L. 117–81) <sup>h</sup> .....	0	0	0	0
Willie O'Ree Congressional Gold Medal Act (S. 452, P.L. 117–84) .....	0	*	*	*
Ghost Army Congressional Gold Medal Act (S. 1404, P.L. 117–85) .....	0	*	*	*
Further Additional Extending Government Funding Act (H.R. 6617, P.L. 117–86) .....	0	1	*	1
Promoting Rigorous and Innovative Cost Efficiencies (PRICE) for Federal Procurement and Acquisitions Act of 2021 (S. 583, P.L. 117–88) .....	0	*	*	*
Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021 (H.R. 4445, P.L. 117–90) .....	0	*	0	0
Extension of Continuing Appropriations Act, 2022 (H.J. Res. 75, P.L. 117–95) .....	0	*	*	*
"Six Triple Eight" Congressional Gold Medal Act of 2020 (S. 321, P.L. 117–97) .....	0	*	*	*
Consolidated Appropriations Act, 2022 (H.R. 2471, P.L. 117–103) .....	0	530	1,134	138
Emmett Till Antilynching Act (H.R. 55, P.L. 117–107) .....	0	*	*	*
Postal Service Reform Act of 2022 (H.R. 3076, P.L. 117–108) .....	0	–62	430	–73
Suspending Normal Trade Relations with Russia and Belarus Act (H.R. 7108, P.L. 117–110) .....	0	–92	–694	–1,256
A bill to obtain and direct the placement in the Capitol or on the Capitol Grounds of a statue to honor Associate Justice of the Supreme Court of the United States Sandra Day O'Connor and a statue to honor Associate Justice of the Supreme Court of the United States Ruth Bader Ginsburg. (S. 3294, P.L. 117–111) .....	0	*	*	*
Ukraine Democracy Defense Lend-Lease Act of 2022 (S. 3522, P.L. 117–118) <sup>i</sup> .....	0	n.e.	n.e.	n.e.
Multinational Species Conservation Funds Semipostal Stamp Reauthorization Act of 2021 (H.R. 6023, P.L. 117–127) .....	0	*	*	*
United States Army Rangers Veterans of World War II Congressional Gold Medal Act (S. 1872, P.L. 117–132) .....	0	*	*	*
Strengthening Oversight for Veterans Act of 2021 (S. 2687, P.L. 117–136) .....	0	*	*	*
Veterans Rapid Retraining Assistance Program Restoration and Recovery Act of 2022 (S. 4089, P.L. 117–138) .....	0	3	6	6
Radiation Exposure Compensation Act (RECA) Extension Act of 2022 (S. 4119, P.L. 117–139) .....	0	0	93	93
Commission To Study the Potential Creation of a National Museum of Asian Pacific American History and Culture Act (H.R. 3525, P.L. 117–140) .....	0	*	*	*
Ocean Shipping Reform Act of 2022 (S. 3580, P.L. 117–146) <sup>j</sup> .....	0	*	*	*
Federal Rotational Cyber Workforce Program Act of 2021 (S. 1097, P.L. 117–149) .....	0	0	0	0
Bankruptcy Threshold Adjustment and Technical Corrections Act (S. 3823, P.L. 117–151) .....	0	0	0	0
Keep Kids Fed Act of 2022 (S. 2089, P.L. 117–158) .....	0	287	707	607
Bipartisan Safer Communities Act (S. 2938, P.L. 117–159) <sup>k</sup> .....	0	*	*	*
Formula Act (H.R. 8351, P.L. 117–160) .....	0	9	18	18
Greatest Generation Commemorative Coin Act (H.R. 1057, P.L. 117–162) .....	0	0	–7	0
Harriet Tubman Bicentennial Commemorative Coin Act (H.R. 1842, P.L. 117–163) .....	0	0	–7	0
COVID–19 Economic Injury Disaster Loan (EIDL) Fraud Statute of Limitations Act of 2022 (H.R. 7334, P.L. 117–165) .....	0	0	0	–24
Paycheck Protection Program (PPP) and Bank Fraud Enforcement Harmonization Act of 2022 (H.R. 7352, P.L. 117–166) .....	0	0	–9	–9
Supreme Court Security Funding Act of 2022 (H.R. 4346, P.L. 117–167) .....	0	*	*	*
Honoring our Promise to Address Comprehensive Toxics (PACT) Act of 2022 (S. 3373, P.L. 117–168) .....	0	380	183,216	667,031
An act to provide for reconciliation pursuant to title II of S. Con. Res. 14 (H.R. 5376, P.L. 117–169) <sup>m</sup> .....	0	2,378	64,535	64,535
Public Safety Officer Support Act of 2022 (H.R. 6943, P.L. 117–172) .....	0	0	155	335
An act to include certain computer-related projects in the federal permitting program under title XII of the Fixing America's Surface Transportation (FAST) Act, and for other purposes. (S. 3451, P.L. 117–173) .....	0	*	*	*
Ensuring the Best Schools for Veterans Act of 2022 (S. 4458, P.L. 117–174) .....	0	*	*	*
Eliminating Limits to Justice for Child Sex Abuse Victims Act of 2022 (S. 3103, P.L. 117–176) .....	0	*	*	*
An act to extend by 19 days the authorization for the special assessment for the Domestic Trafficking Victims' Fund. (S. 4785, P.L. 117–177) .....	0	*	*	*
Bulb Replacement Improving Government with High-efficiency Technology (BRIGHT) Act (S. 442) .....	0	*	*	*
<b>Impact on Deficit .....</b>	<b>0</b>	<b>–4,699</b>	<b>173,934</b>	<b>528,190</b>
<b>Total Change in Outlays .....</b>	<b>0</b>	<b>–4,699</b>	<b>173,934</b>	<b>528,190</b>
<b>Impact on Deficit .....</b>	<b>0</b>	<b>3,862</b>	<b>243,230</b>	<b>580,149</b>

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF SEPTEMBER 15, 2022—Continued

[In millions of dollars]

	2021	2022	2021–2026	2021–2031
Total Change in Revenues .....	0	8,561	69,296	51,959

Source: Congressional Budget Office.

P.L. = public law; — = excluded from PAYGO scorecard; \* = between –\$500,000 and \$500,000; n.e. = not able to estimate.

a On September 23, 2021, the Chairman of the Senate Committee on the Budget reset the Senate's Pay-As-You-Go Scorecard to zero for all fiscal years.

b The amounts shown represent the estimated effect of the public laws on the deficit.

c Excludes off-budget amounts.

d Section 3201(b) requires the budgetary effects of that division to be excluded from the Senate's PAYGO scorecard; however, the revenue effects from the immigration extensions included in division A are included in the scorecard because division A does not fall within the exclusion in section 3201 of division D.

e Pursuant to section 3110 of S. Con. Res. 11 (114th Congress), the Concurrent Budget Resolution for Fiscal Year 2016, the budgetary effects stemming from increases in enterprise guarantee fees of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation are excluded.

f Pursuant to section 905(b), the budgetary effects of division J are excluded from the Senate's PAYGO Scorecard. In addition, 905(c) classifies the budgetary effects of division J as emergency and emergency amounts are excluded from the Senate's PAYGO Scorecard.

g Section 2201 requires the estimated budgetary effects stemming from division C to be excluded from the Senate's PAYGO Scorecard; however, the insignificant revenue effects from immigration extensions included in division A are included in the scorecard because division A does not fall within the exclusion of section 2201.

h The act increases outlays and revenues by an equal amount resulting in a neutral net impact on the deficit.

i CBO has insufficient information about how the Administration would use the authorities under this legislation and thus has no basis to estimate its effects on federal spending.

j Section 21(b) designates that the outlays that were previously designated as emergency would continue to be designated as emergency pursuant to section 4001(a) and section 4001(b) of S. Con. Res. 14 (117th Congress). The revenues however, are included in this table but are insignificant in every year and cumulatively.

k Section 23005 excludes the budgetary effects of each division in this Act from the Senate's PAYGO Scorecard.

l The budgetary effects of the bill are excluded from the Senate PAYGO Scorecard pursuant to sections 102(f)(2), 106(e)(2), 107(e)(2), and 10003(b).

m Pursuant to section 4106(a)(6) of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018 (115th Congress), a reconciliation bill that provides net deficit reduction shall not be entered on the Senate's PAYGO Scorecard. Since the current year and five-year totals do not provide deficit reduction they are included in this table.

## 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)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0T-21. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 19-09 of March 22, 2019.

Sincerely,

JAMES A. HURSCHE,  
Director.

Enclosures.

TRANSMITTAL NO. 0T-21

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Morocco.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 19-09; Date: March 22, 2019; Military Department: Navy.

Funding Source: National Funds.

(iii) Description: On March 22, 2019, Congress was notified by Congressional certification transmittal number 19-09 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of up to twenty-five (25) F-16C/D Block 72 aircraft; twenty-nine (29)

engines (Pratt & Whitney F100-229) (includes 4 spares); twenty-six (26) APG-83 Active Electronically Scanned Array (AESA) radars (includes 1 spare); twenty-six (26) Modular Mission Computers (includes 1 spare); twenty-six (26) Link-16 Multifunctional Information Distribution Systems-JTRS (MIDS-JTRS) with TACAN and ESHI Terminals (includes 1 spare); twenty-six (26) LN260 Embedded Global Navigation Systems (EGI) (includes 1 spare); forty (40) Joint Helmet Mounted Cueing Systems (JHMCS) (includes 5 spares); twenty-six (26) Improved Programmable Display Generators (iPDG) (includes 1 spare); thirty (30) M61 A1 Vulcan 20mm Guns (includes 5 spares); fifty (50) LAU-129 Multipurpose Launchers; forty (40) AIM-120C-7 Advanced Medium Range Air-to-Air Missiles (AMRAAM); forty (40) AIM-120C-7 Guidance Sections; three (3) GBU-38/54 JDAM Tail Kits; fifty (50) MXU-650 Air Foil Group, GBU-49; fifty (50) MAU-210 Enhanced Computer Control Group (CCG), GBU-49, -50; thirty-six (36) FMU-139 D/B Fuzes; six (6) FMU-139 D/B (D-1) Inert Fuzes; two (2) GBU-39 (T-1) GTVs; sixty (60) GBU-39/B Small Diameter Bombs (SDB I); ten (10) MAU-169L/B Computer Control Group, GBU-10, -12, -16; ten (10) MXU-650C/B Air Foil Group, GBU-12; twelve (12) MK82 Bombs, Filled Inert; four (4) BLU-109 Practice Bombs; ten (10) MAU-169 CCG (D-2); and twenty-six (26) AN/AAQ-33 Sniper Pods. Also included were twenty-six (26) AN/ALQ-213 EW Management Systems; twenty-six (26) Advanced Identification Friend/Foe; Secure Communications, Cryptographic Precision Navigation Equipment; one (1) Joint Mission Planning System; twenty-six (26) AN/ALQ-211 AIDEWS; six (6) DB-110 Advanced Reconnaissance Systems; communications equipment; spares and repair parts; support equipment; personnel training and training equipment; publications and technical documentation; support and test equipment, simulators; integration and test; U.S. Government and contractor engineering, technical and logistical support services; and other related elements of logistics and program support. The estimated cost was \$3.787 billion. Major Defense Equipment (MDE) constituted \$2.987 billion of this total.

On January 14, 2020, Congress was notified by Congressional certification transmittal number 1G-19 of the possible sale, under Section 36(b)(5)(A) of the Arms Export Control Act of thirty (30) LAU-129 Multipurpose launchers; and an option for up to twenty-nine (29) General Electric F110-129 engines (vice twenty-nine (29) Pratt & Whitney F100-129 engines). The total MOE value remained \$2.987 billion. The total case value remained \$3.787 billion.

This transmittal reports the inclusion of an additional four (4) Link-16 Multifunc-

tional Information Distribution Systems-JTRS (MIDS-JTRS) with TACAN and ESHI Terminals (MDE).

The total value of the new MDE items is \$1.3 million, increasing the total MDE value to \$2.988 billion. The total notified case value will remain \$3.787 billion.

(iv) Significance: The proposed sale will contribute to Morocco's self-defense capabilities. The purchase will improve interoperability with the United States and other regional allies and enhance Morocco's ability to undertake coalition operations, as it has done in the past in flying sorties against ISIS in Syria and Iraq.

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a Major Non-NATO Ally that continues to be an important force for political stability and economic progress in North Africa.

(vi) Sensitivity of Technology: The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

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

(vii) Date Report Delivered to Congress: September 20, 2022.

CONFIRMATION OF ROLFE  
MICHAEL SCHIFFER

Mrs. FEINSTEIN. Mr. President, I rise today to congratulate Michael Schiffer on being confirmed to serve as Assistant Administrator of the U.S. Agency for International Development.

Michael has prepared himself well for this important position, becoming one of the most respected foreign policy hands in Washington, having also served as Deputy Assistant Secretary of Defense for East Asia.

I had the pleasure of working with Michael for nearly a decade when he served as my senior national security adviser and then my legislative director. In our time working together, I saw Michael's skill, expertise, and dedication every day.

He has excelled in every role he has had throughout his career in public service advancing America's interests and improving our standing abroad. He is committed to advancing U.S. national security and advocating for freedom, democracy, and human rights, the pillars of USAID's mission.



Michael will be sorely missed by the Senate, where he has been a pillar of the Foreign Relations Committee staff. USAID will benefit greatly from Michael's service, and I have no doubt that he will continue to serve the American people well. I wish him great good luck as he embarks on this new chapter.

#### VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted no on the confirmation of Executive Calendar No. 1137, Travis LeBlanc, of Maryland, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2028. (Reappointment).

#### 50TH ANNIVERSARY OF SPECIAL OLYMPICS WYOMING

Mr. BARRASSO. Mr. President, I rise today to recognize the 50th anniversary of Special Olympics Wyoming, an organization that has made a profound difference in the lives of many Wyoming citizens.

In October, Special Olympics Wyoming will celebrate its 50th anniversary held in conjunction with its annual State Fall Tournament in Casper.

Special Olympics was founded in 1962 by Eunice Kennedy Shriver. It began in Maryland as a summer camp for youth with intellectual disabilities. Rosemary Kennedy, Eunice's sister, had an intellectual disability and was the inspiration for Eunice. By 1968, Special Olympics had become a worldwide sensation. Over 1,000 participants competed in the first International Special Olympics Games in Chicago.

Special Olympics Wyoming was established 10 years later in 1972 by Helen and Lloyd Wampler. Their first event was the Wyoming Summer Games at Natrona County High School, where 215 athletes competed in track and field or swimming.

Special Olympics Wyoming offers year-round athletic and sports training for youth and adults who have an intellectual disability. They provide "opportunities to develop physical fitness skills, express courage, experience joy and participate in the sharing of talents, skills and friendship with their families, friends, other Special Olympics athletes and the community."

As the Wyoming athletes strive to meet their athletic goals, their participation and success within the program accentuates why Special Olympics Wyoming was started. Today, there are roughly 1,600 active athletes throughout Wyoming who participate in 16 different sports.

Special Olympics Wyoming hosts five annual statewide events that promote healthy competition, refine athletic skills, and build friendships statewide. These events include the State Winter Games, State Summer Games, Summer Sports Classic, Equestrian Show, and the State Fall Tournament.

Former Special Olympics Wyoming CEO, Priscilla Dowse, is an exceptional example of this type of dedication. During her 44-year involvement in the program, Dowse more than tripled the number of athletes, expanded the unified partners from 70 to 525, and increased fundraising efforts from \$15,000 to \$186,000 with the partnership from Wyoming law enforcement.

Her commitment to Special Olympics Wyoming led her to travel internationally and incorporate different training and leadership programs in an effort to improve Special Olympics Wyoming. Dowse described Special Olympics Wyoming as "... a place that individuals with intellectual disabilities had a place to shine, to be successful, to have fun and laugh. And I was mesmerized."

Since Dowse's retirement, the organization has continued to grow under the leadership of Jen Haines. As Dowse said "if you put a team together, there's almost nothing they can't do." Jen's unwavering commitment will be a strong asset as the organization continues to thrive.

The mission of Special Olympics Wyoming would not be possible without the resolute dedication of their staff members, coaches, volunteers and mentors contributing their time and expertise to the athletes. Current Staff and Board Members are:

Jennifer Haines—CEO & President  
Tara Short—Vice President of Development  
Bobby Casey—Vice President of Programs  
Laura Kelly—Director of Program Services  
Cathy Bisiar—Director of Law Enforcement Torch Run  
Christine Rodriguez—Office Administrator  
Erin Gamroth—Marketing & Communications Coordinator  
Molly Blomstrom—Office Assistant  
Jessica Purdum—Director of Unified Champion Schools  
Karen Beddoes—Area I Director  
Chrissy Bowns—Area II Director  
Marsha Dial—Area III Director  
Carrie Pilcher—Area IV Director

#### BOARD OF DIRECTORS

Chair: Ron Casalenda, Douglas Police Department (retired)  
Vice-Chair: Carolyn Griffith, the City of Casper (retired)  
Treasurer: KieLee Ellsworth, Porter, Muirhead, Cornia & Howard  
Secretary: Tiffany Vermillion  
Bill Rogers, Jonah Bank  
Kerry Namken, Platte Valley Bank  
Lisa Foutz, Fremont County School District #1  
Phil Grabrick, Gillette WY  
Taryn Blackett, Natrona County SD #1

Jen Haines, President & CEO (ex-officio)

Tess Robinson, Casper Senior Center—Athlete Representative

It is an honor for me to rise in recognition of this significant milestone for Special Olympics Wyoming. The

impact and opportunities Special Olympics Wyoming has created for people living with intellectual disabilities is incredible. Bobbi joins me in extending our congratulations to Special Olympics Wyoming on their 50th anniversary.

#### ADDITIONAL STATEMENTS

##### REMEMBERING PHIL HANCEFORD

• Mr. BENNET. Mr. President, I rise to pay my respects to Phil Hanceford, a tireless and broadly respected advocate for public land conservation. Phil unexpectedly passed away on August 14, 2022.

Phil served more than 15 years as an attorney, policy expert, and conservation director at The Wilderness Society—TWS—in Denver, CO. He began his career with an internship at TWS while a student at the University of Colorado School of Law. Across a distinguished, 15-year career, Phil played a significant role in protecting some of the most important public lands in the West, from Bears Ears and Grand Staircase-Escalante National Monuments, to conservation areas in the Pacific Northwest, the Mojave Desert, Nevada, and Colorado.

Phil was an expert in land management planning, specializing in the management of national monuments and other Bureau of Land Management—BLM—conservation lands. He inspired and mentored countless individuals at TWS and across the conservation community, contributing his deep expertise and humble spirit to all who sought his advice or support. Over the years, his guidance helped shape a new cohort of effective advocates for America's public lands.

Phil's greatest accomplishments include helping to create the National Landscape Conservation System; the adoption of the Desert Renewable Energy Conservation Plan that conserved wildlands and promoted renewable energy development across nearly 11 million acres in southern California; the restoration of Bears Ears and Grand Staircase-Escalante National Monuments that protects over 3 million acres of stunning desert wilderness in southern Utah; and the establishment of Browns Canyon National Monument in Colorado.

Phil was a champion of the BLM and earned the lasting respect of Bureau staff across the country for his warmth and expertise. He often went out of his way to connect with employees across the organization and fiercely advocated for getting staff into the field to see firsthand the places they worked to protect.

Phil grounded his work in humor, kindness, determination, and grace. He genuinely believed in the promise of public lands as a legacy for everyone—an issue that could bring Americans together regardless of where you lived or which political beliefs you held. Phil's

distinguished career was cut too short, but he leaves behind a legacy that will endure for generations to come. I extend my deepest condolences to Phil's wife Keenan and their young daughter Hazel, along with the rest of Phil's family, friends, and colleagues.●

#### RECOGNIZING DIXWELL AVENUE CONGREGATIONAL UNITED CHURCH OF CHRIST

● Mr. BLUMENTHAL. Mr. President, today I rise to recognize Dixwell Avenue United Congregational Church of Christ as it celebrates 202 years of spiritual leadership in New Haven, CT. I am honored to join Dixwell Congregational Church's congregation and supporters in celebrating the church's bicentennial, 2 years later than planned due to the COVID-19 pandemic—just the latest obstacle the church has overcome in its long and remarkable history.

Dixwell Avenue United Congregational Church of Christ is the oldest African-American Congregational UCC church in the world. It was founded in 1820, when Black residents in New Haven were unwelcome at the city's traditional churches. Seeking the freedom to worship, a group of 22 Black New Haven residents persuaded a Yale student and abolitionist named Simeon Jocelyn to conduct religious services with them at his home. Together they formed the city's first Black congregation and, after meeting house to house for 4 years, began renting a small church on Temple Street in New Haven in 1825.

In 1837, the Rev. Dr. James W. C. Pennington became the first Black pastor of Dixwell Avenue United Congregational Church of Christ. After fleeing from slavery, the Yale-educated Pennington became internationally renowned as a skilled orator. Under his leadership and the pastorate of his successor, the Rev. Amos G. Beman, the church became one of America's most eminent civil rights organizations and a cradle of the abolitionist movement. Not only did the church serve as a stop on the Underground Railroad, but many of its members were active on the Amistad Committee, which supported the defense in the landmark 1841 case *United States v. The Amistad*, which resulted in the U.S. Supreme Court granting the enslaved people on board the ship their freedom.

The church moved to its current home on Dixwell Avenue in 1886 and continued to work for the social betterment of the community. In the early 20th century, the church donated the land on which the original Dixwell Community House was built, ensuring that generations of area residents had access to enriching education and recreation, as well as vital social services. One of the central figures in the church's recent history is the civil rights activist Rev. Dr. Edmond R. Edmunds, who led the church for nearly 40 years beginning in 1959. Under his

pastorate, the congregation established daycare and afterschool programs that encouraged academic achievement in the Dixwell neighborhood. He also helped initiate the Dixwell Housing Development Corporation which, for many years, provided affordable housing to local, low-income families.

The church's current pastor, the Rev. Dr. Frederick "Jerry" Streets has carried forth the congregation's tradition of serving its community. Reverend Streets has fostered civil and constructive conversations about race in New Haven, developed faith-based rehabilitation programs for individuals with substance abuse disorders, and initiated summer STEM education programs for Dixwell neighborhood youth, amongst other good deeds.

I have had the privilege of visiting Dixwell Avenue United Congregational Church of Christ on a number of occasions and have always been welcomed as one of the congregation. This kindness, free from judgement, has helped countless people in need over the past two centuries.

As Dixwell Avenue United Congregational Church of Christ celebrates its bicentennial plus two this September, I applaud them on their extraordinary contributions—not just to the city of New Haven and State of Connecticut, but to our great Nation. I hope my colleagues will join me in congratulating Dixwell Avenue United Congregational Church of Christ on 202 years of committed worship and service to their community.●

#### MESSAGE FROM THE HOUSE

At 2:17 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 169. An act to amend title 17, United States Code, to require the Register of Copyrights to waive fees for filing an application for registration of a copyright claim in certain circumstances, and for other purposes.

S. 2771. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in San Angelo, Texas, as the "Colonel Charles and JoAnne Powell Department of Veterans Affairs Clinic".

S. 3157. An act to require the Secretary of Labor to conduct a study of the factors affecting employment opportunities for immigrants and refugees with professional credentials obtained in foreign countries.

S. 3895. An act to extend and authorize annual appropriations for the United States Commission on International Religious Freedom through fiscal year 2024.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 820. An act to establish the New Philadelphia National Historic Site in the State of Illinois as a unit of the National Park System, and for other purposes.

H.R. 1456. An act to amend the Peace Corps Act to reauthorize the Peace Corps, better support current and returned volunteers, and for other purposes.

H.R. 3034. An act to amend title 28, United States Code, to provide an additional place for holding court for the Western District of Washington, and for other purposes.

H.R. 4330. An act to maintain the free flow of information to the public by establishing appropriate limits on the federally compelled disclosure of information obtained as part of engaging in journalism, and for other purposes.

H.R. 6353. An act to authorize the National Service Animals Monument Corporation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

H.R. 6734. An act to amend the Fish and Wildlife Act of 1956 to reauthorize the volunteer services, community partnership, and refuge education programs of the National Wildlife Refuge System, and for other purposes.

H.R. 7181. An act to amend the Trafficking Victims Protection Act of 2000 to direct the Secretary of Transportation to seek to provide for the posting of contact information of the national human trafficking hotline in the restrooms of each aircraft, airport, over-the-road bus, bus station, passenger train, and passenger railroad station operating within the United States, and for other purposes.

H.R. 7566. An act to amend title 18, United States Code, to increase the punishment for human trafficking in a school zone, and for other purposes.

H.R. 7618. An act to designate the Kol Israel Foundation Holocaust Memorial in Bedford Heights, Ohio, as a national memorial.

H.R. 7698. An act to designate the outpatient clinic of the Department of Veterans Affairs in Ventura, California, as the "Captain Rosemary Bryant Mariner Outpatient Clinic".

#### ENROLLED BILL SIGNED

At 5:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 8656. An act to designate the clinic of the Department of Veterans Affairs in Mishawaka, Indiana, as the "Jackie Walorski VA Clinic".

#### MEASURES REFERRED

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

H.R. 820. An act to establish the New Philadelphia National Historic Site in the State of Illinois as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3034. An act to amend title 28, United States Code, to provide an additional place for holding court for the Western District of Washington, and for other purposes; to the Committee on the Judiciary.

H.R. 4330. An act to maintain the free flow of information to the public by establishing appropriate limits on the federally compelled disclosure of information obtained as part of engaging in journalism, and for other purposes; to the Committee on the Judiciary.

H.R. 6353. An act to authorize the National Service Animals Monument Corporation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 7181. An act to amend the Trafficking Victims Protection Act of 2000 to direct the

Secretary of Transportation to seek to provide for the posting of contact information of the national human trafficking hotline in the restrooms of each aircraft, airport, over-the-road bus, bus station, passenger train, and passenger railroad station operating within the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 7566. An act to amend title 18, United States Code, to increase the punishment for human trafficking in a school zone, and for other purposes; to the Committee on the Judiciary.

### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1456. An act to amend the Peace Corps Act to reauthorize the Peace Corps, better support current and returned volunteers, and for other purposes.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5056. A communication from the Deputy Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Review of Medicare Administrative Contractor Information Security Program Evaluations for Fiscal Year 2021"; to the Committee on Finance.

EC-5057. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Streamlining the Section 754 Election Statement" (RIN1545-BN94) received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2022; to the Committee on Finance.

EC-5058. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of the Phase-in Period for the Enforcement and Administration of Section 871(m)" (Notice 2022-37) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Finance.

EC-5059. A communication from the Branch Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Requirements Related to Surprise Billing" ((RIN1545-BQ01) (RIN1545-BQ02)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Finance.

EC-5060. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on the Medicare and Medicaid Integrity Programs for Fiscal Year (FY) 2020"; to the Committee on Finance.

EC-5061. A communication from the President of the United States, transmitting, pursuant to law, certifications relative to the inclusion of the Republic of Finland and the Kingdom of Sweden in the North Atlantic Treaty Organization; to the Committee on Foreign Relations.

EC-5062. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the intent to exercise the authorities under section 506(a)(1) of the FAA to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-5063. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the intent to exercise the authorities under section 610(a) of the FAA and section 8003(d) of the SFOAA to provide assistance in support of international climate objectives; to the Committee on Foreign Relations.

EC-5064. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the intent to exercise the authorities under section 610(a) of the FAA and section 8003(d) of the SFOAA to provide assistance for Yemen; to the Committee on Foreign Relations.

EC-5065. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to the United Arab Emirates and the United Kingdom in the amount of \$14,000,000 or more (Transmittal No. DDTC 20-054); to the Committee on Foreign Relations.

EC-5066. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List to Qatar in the amount of \$1,000,000 or more (Transmittal No. DDTC 21-064); to the Committee on Foreign Relations.

EC-5067. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services to various countries in the amount of \$100,000,000 or more (Transmittal No. DDTC 22-008); to the Committee on Foreign Relations.

EC-5068. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Determination Under Sections 506(a)(1) of the Foreign Assistance Act of 1961 to Provide Military Assistance to Ukraine"; to the Committee on Foreign Relations.

EC-5069. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the intent to exercise the authorities under section 506(a)(1) of the FAA to provide military assistance to Ukraine, including for self-defense and border security operations; to the Committee on Foreign Relations.

EC-5070. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2022-0131 - 2022-0135); to the Committee on Foreign Relations.

EC-5071. A communication from the Secretary of Labor and the Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Pension Ben-

efit Guaranty Corporation's fiscal year 2021 Actuarial Evaluation of the Expected Operations and Status of the PBGC Funds; to the Committee on Health, Education, Labor, and Pensions.

EC-5072. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Fumonisin Esterase" (Docket No. FDA-2021-F-0564) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Health, Education, Labor, and Pensions.

EC-5073. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-531, "Public Service Commission Member Qualifications Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5074. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-532, "Foreclosure Moratorium Extension Revision and Homeowner Assistance Fund Promotion Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5075. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-533, "Medical Marijuana Self-Certification Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5076. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-534, "Continuing Care for Healthcare Providers Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5077. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-535, "Consent for Vaccinations of Minors Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5078. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-492, "Fiscal Year 2023 Budget Support Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5079. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-493, "Opioid Overdose Prevention Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5080. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-494, "Infant Formula Consumer Protection Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5081. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-496, "High Need Healthcare Career Scholarship and Health Professional Loan Repayment Program Temporary Amendment Act of 2022"; to the Committee on Homeland Security and Governmental Affairs.

EC-5082. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 24-512, “Protecting Consumers from Unjust Debt Collection Practices Temporary Amendment Act of 2022”; to the Committee on Homeland Security and Governmental Affairs.

EC-5083. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 24-495, “Parity in Workers’ Compensation Recovery Temporary Amendment Act of 2022”; to the Committee on Homeland Security and Governmental Affairs.

EC-5084. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary/Director, Immigration and Customs Enforcement (ICE), Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC-5085. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5086. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, National Highway Traffic Safety Administration, Department of Transportation, received in the Office of the President of the Senate on August 18, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5087. A communication from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting, pursuant to law, a report relative to a vacancy in the position of Maritime Administrator, Maritime Administration, Department of Transportation, received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5088. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Uniform Certificate of Title Act for Vessels” ((RIN1625-AC28) (Docket No. USCG-2018-0160)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5089. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Navigation and Navigable Waters, and Shipping; Technical, Organizational, and Conforming Amendments” (Docket No. USCG-2022-0348) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5090. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; Lower Mississippi River, Mile Marker 94 to 97 Above Head of Passes, New Orleans, LA” ((RIN1625-AA87) (Docket No. USCG-2022-0333)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5091. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Security Zone; Parker Canyon, Pacific Palisades, CA” ((RIN1625-AA87) (Docket No. USCG-2022-0450)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5092. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Tampa Bay, St. Petersburg, FL” ((RIN1625-AA08) (Docket No. USCG-2022-0171)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5093. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; East River 4th of July Fireworks, New York, NY” ((RIN1625-AA08) (Docket No. USCG-2022-0186)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5094. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Escape from Alcatraz Triathlon, San Francisco Bay, CA” ((RIN1625-AA08) (Docket No. USCG-2022-0339)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5095. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Special Local Regulation; Lake of the Ozarks MM 1-6, Lake Ozark, MO” ((RIN1625-AA08) (Docket No. USCG-2022-0444)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5096. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Tall Ships Challenge Great Lakes 2022; Erie, PA, Cleveland, OH, and Two Harbors, MN” ((RIN1625-AA00) (Docket No. USCG-2022-0163)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5097. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Graduate Boat Parade, Sturgeon Bay, WI” ((RIN1625-AA00) (Docket No. USCG-2022-0184)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5098. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Celebrate Our Stars and Stripes Fireworks, Raritan Bay, Perth Amboy, NJ” ((RIN1625-AA00) (Docket No. USCG-2022-0281)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5099. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Candice Jones Wedding Fireworks; Oswego River; Oswego, NY” ((RIN1625-AA00) (Docket No. USCG-2022-0358)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5100. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Red Bull Flugtag, Milwaukee, WI” ((RIN1625-AA00) (Docket No. USCG-2022-0352)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5101. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Beaver Island Fireworks, Saint James Harbor, Lake Michigan, MI” ((RIN1625-AA00) (Docket No. USCG-2022-0364)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5102. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Cumberland River, Nashville, TN” ((RIN1625-AA00) (Docket No. USCG-2022-0384)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5103. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Henderson Harbor, Henderson Harbor, NY” ((RIN1625-AA00) (Docket No. USCG-2022-0413)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5104. A communication from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; City of Oswego Fireworks; Oswego River; Oswego, NY” ((RIN1625-AA00) (Docket No. USCG-2022-0442)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5105. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Sunset Point, San Juan Island, WA” ((RIN1625-AA00) (Docket No. USCG-2022-0601)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5106. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety Zone; Saint Simons Sound, GA” ((RIN1625-AA00) (Docket No. USCG-2022-0062)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5107. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Safety

Zone; Falls Bridge Project, Blue Hill, ME" ((RIN1625-AA00) (Docket No. USCG-2022-0134)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5108. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Savannah River 4th of July Fireworks Show, Savannah, GA" ((RIN1625-AA00) (Docket No. USCG-2022-0138)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5109. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Columbia River, Richland, WA" ((RIN1625-AA00) (Docket No. USCG-2022-0139)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5110. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Barge Based Fireworks, Hudson River, Wappingers Falls, NY" ((RIN1625-AA00) (Docket No. USCG-2022-0173)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5111. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Fireworks, Captain of the Port New York Zone" ((RIN1625-AA00) (Docket No. USCG-2022-0211)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5112. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sabine River, Orange, TX" ((RIN1625-AA00) (Docket No. USCG-2022-0190)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5113. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Cape Canaveral, Daytona, Tampa, Jacksonville, and Tallahassee, Florida" ((RIN1625-AA00) (Docket No. USCG-2022-0233)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5114. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Willamette River, Portland, OR" ((RIN1625-AA00) (Docket No. USCG-2022-0269)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5115. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; International Special Operations Exercise, Seddon Channel, Tampa, FL" ((RIN1625-AA00) (Docket No. USCG-2022-

0245)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5116. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Movie Production, Buzzards Bay, New Bedford, MA" ((RIN1625-AA00) (Docket No. USCG-2022-0288)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5117. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River, Cincinnati, OH" ((RIN1625-AA00) (Docket No. USCG-2022-0277)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5118. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Motus Myrtle Beach Triathlon, Myrtle Beach, SC" ((RIN1625-AA00) (Docket No. USCG-2022-0295)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5119. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Potomac River, Between Charles County, MD and King George County, VA" ((RIN1625-AA00) (Docket No. USCG-2022-0330)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5120. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Parade, Willamette River, Portland, OR" ((RIN1625-AA00) (Docket No. USCG-2022-0372)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5121. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Yaquina Bay, Newport, OR" ((RIN1625-AA00) (Docket No. USCG-2022-0373)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5122. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lower Mississippi River, Mile Marker 807, Varfield Bend, TN" ((RIN1625-AA00) (Docket No. USCG-2022-0411)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5123. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Barge Fire; Captain of the Port Delaware Bay Zone" ((RIN1625-AA00) (Docket No. USCG-2022-0431)) received during adjournment of the Senate in the Office of the Presi-

dent of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5124. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Corte Madera Channel, Larkspur, CA" ((RIN1625-AA00) (Docket No. USCG-2022-0425)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5125. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Portal Bridge, Hackensack River, Kearny, NJ" ((RIN1625-AA00) (Docket No. USCG-2022-0453)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5126. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Spokane Street Bridge; Duwamish Waterway, Seattle, WA" ((RIN1625-AA00) (Docket No. USCG-2022-0477)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5127. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Apra Outer Harbor, Naval Base Guam" ((RIN1625-AA00) (Docket No. USCG-2022-0458)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5128. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Caruso Affiliated Holdings Fireworks Event, Newport Beach, California" ((RIN1625-AA00) (Docket No. USCG-2022-0496)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5129. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River, Cincinnati, OH" ((RIN1625-AA00) (Docket No. USCG-2022-0660)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5130. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake of the Ozarks, Mile Marker 7 Lake of the Ozarks, MO" ((RIN1625-AA00) (Docket No. USCG-2022-0646)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5131. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Ohio River, Cincinnati, OH" ((RIN1625-AA08) (Docket No. USCG-2022-0614)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5132. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Delaware River, Philadelphia, PA" ((RIN1625-AA00) (Docket No. USCG-2022-0544)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5133. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Redwood City Fourth of July Fireworks; Redwood Creek, Redwood City, CA" ((RIN1625-AA00) (Docket No. USCG-2022-0532)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5134. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego Bay, San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2022-0504)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5135. A communication from the Legal Yeoman, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake of the Ozarks, Mile Marker 42.5 Lake of the Ozarks, MO" ((RIN1625-AA00) (Docket No. USCG-2022-0497)) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5136. A communication from the Attorney Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Safety of Gas Transmission Pipelines: Repair Criteria, Integrity Management Improvements, Cathodic Protection, Management of Change, and Other Related Amendments" (RIN2137-AF39) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5137. A communication from the Attorney Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Harmonization with International Standards; Correction" (RIN2137-AF46) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5138. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled "Coast Guard Authorization Act for Fiscal Year 2023"; to the Committee on Commerce, Science, and Transportation.

EC-5139. A communication from the Chief of Revenue and Receivables, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Assessment and Collection of Regulatory Fees for Fiscal Year 2022, Review of the Commission's Assessment and Collection of Regulatory Fees" ((FCC 22-68) (MD Docket Nos. 22-223 and 22-301)) received in the Office of the President of the Senate on September 19, 2022; to the Committee on Commerce, Science, and Transportation.

EC-5140. A communication from the Associate Administrator for Policy, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Fees for the Unified Carrier Registration Plan and Agreement" (RIN2126-AC51) received in the Office of the President of the Senate on September 19, 2022; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 4254. A bill to amend the Lobbying Disclosure Act of 1995 to clarify a provision relating to certain contents of registrations under that Act (Rept. No. 117-150).

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

S. 4524. A bill to limit the judicial enforceability of predispute nondisclosure and nondisparagement contract clauses relating to disputes involving sexual assault and sexual harassment.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. KLOBUCHAR (for herself, Mr. WYDEN, Mr. MARKEY, Mr. MERKLEY, Ms. WARREN, Mr. CASEY, Ms. SMITH, Mr. SANDERS, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. KING, Ms. HIRONO, Mr. BOOKER, Mr. MURPHY, Mr. KAINE, Mr. MENENDEZ, and Mr. BROWN):

S. 4886. A bill to amend the National Voter Registration Act of 1993 to clarify that a State may not use an individual's failure to vote as the basis for initiating the procedures provided under such Act for the removal of the individual from the official list of registered voters in the State on the grounds that the individual has changed residence, and for other purposes; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR (for herself, Mr. WYDEN, Mr. MARKEY, Ms. CORTEZ MASTO, Mr. MERKLEY, Mr. BENNET, Ms. WARREN, Mr. CASEY, Ms. SMITH, Mr. VAN HOLLEN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. HIRONO, Mr. BOOKER, Mr. SANDERS, Mr. MURPHY, Mr. KAINE, Mr. MENENDEZ, Mr. KING, Mr. DURBIN, Mrs. FEINSTEIN, Mr. BROWN, and Mr. CARPER):

S. 4887. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day voter registration; to the Committee on Rules and Administration.

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

S. 4888. A bill to require the President to supplement disaster response plans to account for catastrophic incidents disabling 1 or more critical infrastructure sectors or significantly disrupting the critical functions of modern society, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HAGERTY:

S. 4889. A bill to amend the Consumer Financial Protection Act of 2010 to clarify the funding of the Bureau of Consumer Financial

Protection; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 4890. A bill to amend title 38, United States Code, to establish protections for a member of the Armed Forces who leaves a course of education, paid for with certain educational assistance, to perform certain service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 4891. A bill to amend the Federal Land Policy and Management Act of 1976 to authorize certain construction activities on public lands, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCOTT of South Carolina (for himself, Mr. MARSHALL, and Mr. GRAHAM):

S. 4892. A bill to require elementary and middle schools that receive Federal funds to obtain parental consent before changing a minor child's gender markers, pronouns, or preferred name on any school form, allowing a child to change the child's sex-based accommodations, including locker rooms or bathrooms; to the Committee on Health, Education, Labor, and Pensions.

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

S. 4893. A bill to amend the Lobbying Disclosure Act of 1995 to require certain disclosures by registrants regarding exemptions under the Foreign Agents Registration Act of 1938, as amended; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4894. A bill to provide for the perpetuation, administration, and funding of Federal Executive Boards, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4895. A bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to direct the Secretary of Agriculture to establish a national biochar research network, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HEINRICH:

S. 4896. A bill to approve the settlement of water rights claims of the Pueblos of Jemez and Zia in the State of New Mexico, and for other purposes; to the Committee on Indian Affairs.

By Mr. COTTON:

S. 4897. A bill to make reforms at institutions of higher education; to the Committee on Finance.

By Mr. HEINRICH:

S. 4898. A bill to approve the settlement of water rights claims of the Pueblos of Acoma and Laguna in the Rio San Jose Stream System in the State of New Mexico, and for other purposes; to the Committee on Indian Affairs.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. 4899. A bill to amend title XVIII of the Social Security Act to remedy election revocations relating to administration of COVID-19 vaccines; considered and passed.

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

S. 4900. A bill to reauthorize the SBIR and STTR programs and pilot programs, and for other purposes; considered and passed.

By Mr. CORNYN (for himself, Mr. WHITEHOUSE, Mr. RUBIO, Mr. HAGERTY, and Mrs. FISCHER):

S. 4901. A bill to amend the Foreign Agents Registration Act of 1938, as amended, to



modify requirements under that Act relating to exemptions, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. DURBIN (for himself, Mr. COONS, and Mr. BLUMENTHAL):

S. Res. 775. A resolution expressing the sense of the Senate that violence and threats of violence against the employees of the Federal Bureau of Investigation are unacceptable and should be condemned; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CRAPO, Mr. CARDIN, Mr. KING, Mr. VAN HOLLEN, Mr. PADILLA, Mr. MARKEY, Mr. BOOKER, Mr. COONS, Mr. BLUMENTHAL, Mr. RISCH, Mr. WYDEN, and Mrs. CAPITO):

S. Res. 776. A resolution designating September 2022 as "National Prostate Cancer Awareness Month"; considered and agreed to.

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

S. Res. 777. A resolution expressing the support of the Senate for the contributions and achievements of student parents and recognizing September 2022 as National Student Parent Month; considered and agreed to.

By Mr. KING (for himself, Mrs. CAPITO, Mr. MANCHIN, and Mr. LUJÁN):

S. Res. 778. A resolution supporting the designation of September 2022 as "National Recovery Month"; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Ms. BALDWIN, Mr. BOOKER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mrs. FEINSTEIN, Ms. HASSAN, Ms. HIRONO, Mr. KAINE, Mr. KING, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. PORTMAN, Mr. REED, Mr. RUBIO, Mrs. SHAHEEN, Mr. VAN HOLLEN, and Mr. WARNER):

S. Res. 779. A resolution designating the week of September 17 through September 24, 2022, as "National Estuaries Week"; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. YOUNG, Ms. BALDWIN, Mr. SCOTT of South Carolina, Ms. HIRONO, Mr. CASEY, Mr. DAINES, Ms. CANTWELL, Mrs. HYDE-SMITH, Ms. HASSAN, Mr. CRAMER, Mr. DURBIN, Mr. BRAUN, Mrs. KLOBUCHAR, Mr. PADILLA, Mrs. BLACKBURN, Mr. WICKER, Mr. COONS, Mrs. CAPITO, Mr. LUJÁN, Mr. HICKENLOOPER, Mr. PETERS, Ms. SMITH, Mr. KELLY, Mr. BLUMENTHAL, Ms. COLLINS, Mr. RUBIO, Mr. MURPHY, and Ms. CORTEZ MASTO):

S. Res. 780. A resolution designating September 2022 as "National Workforce Development Month"; considered and agreed to.

By Ms. WARREN (for herself, Mrs. FISCHER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. CAPITO, Mr. CARDIN, Mrs. FEINSTEIN, Mr. LANKFORD, Mr. MARKEY, Mr. MARSHALL, Mr. PADILLA, Mr. RUBIO, Ms. STABENOW, Mr. VAN HOLLEN, and Mr. WARNOCK):

S. Res. 781. A resolution recognizing the seriousness of polycystic ovary syndrome (PCOS) and expressing support for the designation of September 2022 as "PCOS Awareness Month"; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mrs. SHAHEEN, Mr. BENNET, Mr. VAN HOLLEN, Ms. CORTEZ MASTO,

Mrs. FEINSTEIN, Mr. MARKEY, Ms. SINEMA, Mr. PADILLA, Ms. ROSEN, Mr. REED, Mr. COONS, Ms. HIRONO, Mr. CARPER, Mr. MURPHY, Mr. LUJÁN, Mr. CASEY, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. SCOTT of Florida, Mr. RUBIO, Mr. HAGERTY, Mr. HICKENLOOPER, Mr. OSSOFF, Mr. BOOKER, Ms. DUCKWORTH, Mr. KING, Mr. WYDEN, Ms. BALDWIN, Mr. CASSIDY, Ms. HASSAN, Mr. WARNER, Ms. CANTWELL, Mr. SANDERS, Mr. CARDIN, Mr. KELLY, Mr. BROWN, Ms. WARREN, Ms. COLLINS, Mrs. MURRAY, Ms. SMITH, Mr. KAINE, Mr. DURBIN, Mr. SCOTT of South Carolina, and Mr. LANKFORD):

S. Res. 782. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States; considered and agreed to.

By Mr. BOOZMAN (for himself, Mr. TESTER, Mr. HOEVEN, Mr. BROWN, Mr. WARNOCK, and Ms. ROSEN):

S. Res. 783. A resolution commemorating the 75th anniversary of the establishment of the Department of the Air Force and celebrating the United States Air Force for 75 years of serving and defending the United States; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. PADILLA, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. VAN HOLLEN, Mr. BOOKER, Mr. DURBIN, Ms. CANTWELL, Mr. CASEY, Ms. CORTEZ MASTO, Ms. ROSEN, Mr. KAINE, Mrs. FEINSTEIN, Mr. REED, Mr. WYDEN, Mr. KELLY, Mr. BROWN, Mr. SANDERS, Mr. HAGERTY, Mrs. BLACKBURN, Mr. RUBIO, Mr. LANKFORD, and Mr. CRUZ):

S. Res. 784. A resolution designating the week beginning on September 12, 2022, as "National Hispanic-Serving Institutions Week"; considered and agreed to.

By Mrs. MURRAY (for herself, Mrs. BLACKBURN, Mr. HICKENLOOPER, Mr. HAGERTY, Ms. ROSEN, Ms. ERNST, Mr. MANCHIN, Mr. RUBIO, Ms. SINEMA, Mr. MCCONNELL, Ms. CANTWELL, and Mr. MARKEY):

S. Res. 785. A resolution designating October 30, 2022, as a national day of remembrance for the workers of the nuclear weapons program of the United States; to the Committee on the Judiciary.

By Mr. BRAUN:

S. Res. 786. A resolution recognizing the history of women's professional baseball in Indiana; to the Committee on Commerce, Science, and Transportation.

## ADDITIONAL COSPONSORS

S. 223

At the request of Mr. WYDEN, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 223, a bill to establish the Office to Enforce and Protect Against Child Sexual Exploitation.

S. 444

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 444, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 480

At the request of Mr. DAINES, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 480, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for qualified business income.

S. 481

At the request of Mr. CARDIN, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 481, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 876

At the request of Ms. COLLINS, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 876, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to make loan guarantees and grants to finance certain improvements to school lunch facilities, to train school food service personnel, and for other purposes.

S. 1157

At the request of Mr. CASEY, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1157, a bill to amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee.

S. 1315

At the request of Ms. CANTWELL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1315, a bill to amend title XVIII of the Social Security Act to provide for coverage of certain lymphedema compression treatment items under the Medicare program.

S. 2037

At the request of Ms. CORTEZ MASTO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2037, a bill to amend title XVIII to strengthen ambulance services furnished under part B of the Medicare program.

S. 2092

At the request of Ms. SMITH, the name of the Senator from Wyoming (Ms. LUMMIS) was added as a cosponsor of S. 2092, a bill to permanently authorize the Native Community Development Financial Institutions lending program of the Department of Agriculture, and for other purposes.

S. 2130

At the request of Mr. WHITEHOUSE, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 2130, a bill to modify the disposition of certain outer Continental Shelf revenues and to open Federal financial sharing to heighten opportunities for renewable energy, and for other purposes.



S. 3021

At the request of Ms. SINEMA, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 3021, a bill to provide non-medical counseling services for military families.

S. 3957

At the request of Mr. CASEY, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 3957, a bill to amend the Infrastructure Investment and Jobs Act to make certain activities eligible for grants from the Abandoned Mine Reclamation Fund, and for other purposes.

S. 3972

At the request of Mr. BOOKER, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 3972, a bill to improve research and data collection on stillbirths, and for other purposes.

S. 4015

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 4015, a bill to authorize the Secretary of Health and Human Services to award grants to eligible entities for creating or enhancing capacity to treat patients with Long COVID through a multidisciplinary approach.

S. 4120

At the request of Mr. REED, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 4120, a bill to maximize discovery, and accelerate development and availability, of promising childhood cancer treatments, and for other purposes.

S. 4192

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 4192, a bill amend the Internal Revenue Code of 1986 to end the tax subsidy for employer efforts to influence their workers' exercise of their rights around labor organizations and engaging in collective action.

S. 4202

At the request of Ms. COLLINS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 4202, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 4712

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 4712, a bill to clarify coverage of occupational therapy under the Medicare and Medicaid programs.

S. 4718

At the request of Mr. BLUNT, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 4718, a bill to direct the Secretary of

Defense to establish a joint training pipeline between the United States Navy and the Royal Australian Navy, and for other purposes.

S. 4783

At the request of Mr. YOUNG, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 4783, a bill to require the Under Secretary of Defense for Personnel and Readiness to carry out a pilot program on providing training to, validating, and deploying grief companions to facilitate bereavement care.

S. 4885

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 4885, a bill to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Americans Alert Program.

AMENDMENT NO. 5502

At the request of Mr. SULLIVAN, the names of the Senator from Utah (Mr. LEE) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of amendment No. 5502 intended to be proposed to Treaty Doc. 117-1, amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the "Montreal Protocol"), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the "Kigali Amendment").

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. WHITEHOUSE, Mr. RUBIO, Mr. HAGERTY, and Mrs. FISCHER):

S. 4901. A bill to amend the Foreign Agents Registration Act of 1938, as amended, to modify requirements under that Act relating to exemptions, and for other purposes; to the Committee on Foreign Relations.

Mr. CORNYN. Mr. President, I ask unanimous consent to print my bill for introduction in the Congressional Record. The bill amends the Foreign Agents Registration Act of 1938, as amended, to modify requirements under that act relating to exemptions.

S. 4901

*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 "Preventing Adversary Influence, Disinformation, and Obscured Foreign Financing Act of 2022" or the "PAID OFF Act of 2022".

### SEC. 2. TREATMENT OF EXEMPTIONS UNDER FARA.

Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613), is amended, in the matter preceding subsection (a), by inserting "except that the exemptions under subsections (d)(1) and (h) shall not apply to any agent of a foreign principal that is listed as a foreign adversary (as defined in section 8(c) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c))) in accordance with that Act" before the colon.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 775—EXPRESSING THE SENSE OF THE SENATE THAT VIOLENCE AND THREATS OF VIOLENCE AGAINST THE EMPLOYEES OF THE FEDERAL BUREAU OF INVESTIGATION ARE UNACCEPTABLE AND SHOULD BE CONDEMNED

Mr. DURBIN (for himself, Mr. COONS, and Mr. BLUMENTHAL) submitted the following resolution; which was considered and agreed to:

S. RES. 775

Whereas, pursuant to a judicially issued warrant, the Federal Bureau of Investigation (referred to in this preamble as "FBI") searched the residence of former President Donald Trump (referred to in this preamble as "the former President") on August 8, 2022, for classified and national defense information records owned by the United States (referred to in this preamble as "the search");

Whereas, in the days following the search, employees of the FBI and their families have been subjected to threats of violence;

Whereas the threats to employees of the FBI and their families have been inflamed by—

(1) calls from members of Congress to "destroy the FBI" or "defund the FBI";

(2) members of Congress comparing the execution of a lawful warrant by the FBI to the actions of the Nazi Gestapo; and

(3) repeated attacks from the former President, who has called FBI officials, among other insults, "vicious monsters";

Whereas the FBI and the Department of Homeland Security issued an intelligence bulletin warning of a further increase in violent threats and acts of violence against Federal law enforcement officials and facilities following the search;

Whereas these threats include placing a "dirty bomb" outside of FBI headquarters and calls for "civil war" and "armed rebellion";

Whereas the FBI and the Department of Homeland Security have also "observed the personal identifying information of possible targets of violence, such as home addresses and identification of family members, disseminated online as additional targets";

Whereas a man wearing body armor and armed with an AR-15 rifle and nail gun attempted to breach the FBI Cincinnati Field Office on August 11, 2022;

Whereas a man was indicted on August 16, 2022, for threatening to murder everyone at the FBI, from the Director, to agents, to the custodial staff;

Whereas a man jumped a fence and threw rocks at the FBI Chicago Field Office on August 25, 2022;

Whereas the continued leveling of threats and baseless attacks against the FBI will increase the risk of injury or death that employees of the FBI face; and

Whereas the employees of the FBI put their lives on the line every day to protect the communities of the United States and uphold the rule of law: Now, therefore, be it Resolved, That the Senate—

(1) condemns attacks and threats of violence against the employees of the Federal Bureau of Investigation;

(2) condemns calls from members of Congress to "destroy the FBI" and "defund the FBI";

(3) urges public officials at every level of government to reject and condemn political violence and the threat of political violence, regardless of its motivation;

(4) honors the dedicated service of the employees of the Federal Bureau of Investigation, including their work executing lawful warrants; and

(5) affirms that a founding principle of the United States is that individuals settle differences through the political process, not through the use or threat of violence.

#### SENATE RESOLUTION 776—DESIGNATING SEPTEMBER 2022 AS “NATIONAL PROSTATE CANCER AWARENESS MONTH.”

Mr. MENENDEZ (for himself, Mr. CRAPO, Mr. CARDIN, Mr. KING, Mr. VAN HOLLEN, Mr. PADILLA, Mr. MARKEY, Mr. BOOKER, Mr. COONS, Mr. BLUMENTHAL, Mr. RISCH, Mr. WYDEN, and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

##### S. RES. 776

Whereas more than 3,100,000 men in the United States are living with prostate cancer;

Whereas 1 in 8 men in the United States will be diagnosed with prostate cancer in their lifetimes and 1 in 41 men in the United States will die from prostate cancer;

Whereas prostate cancer is the most commonly diagnosed non-skin cancer and the second-leading cause of cancer-related deaths among men in the United States;

Whereas the American Cancer Society estimates that, in 2022, 268,490 men will be diagnosed with, and more than 34,500 men will die of, prostate cancer;

Whereas 40 percent of newly diagnosed prostate cancer cases occur in men under the age of 65;

Whereas the odds of developing prostate cancer rise rapidly after age 50;

Whereas African-American men suffer from a prostate cancer incidence rate that is significantly higher than that of White men and have more than double the prostate cancer mortality rate of White men;

Whereas having a father or brother with prostate cancer more than doubles the risk of a man developing prostate cancer, with a higher risk for men who have a brother with the disease and the highest risk for men with several affected relatives;

Whereas screening by a digital rectal examination and a prostate-specific antigen blood test can detect the disease at the earlier, more treatable stages, which could increase the chances of survival for more than 5 years to nearly 100 percent;

Whereas only 30 percent of men survive more than 5 years if diagnosed with prostate cancer after the cancer has metastasized;

Whereas there are typically no noticeable symptoms of prostate cancer in the early stages, making appropriate screening critical;

Whereas, in fiscal year 2022, the Director of the National Institutes of Health will support approximately \$280,000,000 in research projects focused specifically on prostate cancer;

Whereas, in fiscal year 2022, Congress appropriated \$110,000,000 for the Prostate Cancer Research Program of the Department of Defense;

Whereas the Department of Veterans Affairs has established 20 Precision Oncology Centers of Excellence in order to deliver precision oncology services to veterans suffering from prostate cancer;

Whereas ongoing research promises further improvements in prostate cancer prevention, early detection, and treatment; and

Whereas educating people in the United States, including health care providers,

about prostate cancer and early detection strategies is crucial to saving the lives of men and preserving and protecting families: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2022 as “National Prostate Cancer Awareness Month”;

(2) declares that steps should be taken—

(A) to raise awareness about the importance of screening methods for, and treatment of, prostate cancer;

(B) to encourage research—

(i) to improve screening and treatment for prostate cancer;

(ii) to discover the causes of prostate cancer; and

(iii) to develop a cure for prostate cancer; and

(C) to continue to consider ways to improve access to, and the quality of, health care services for detecting and treating prostate cancer; and

(3) calls on the people of the United States, interest groups, and affected persons—

(A) to promote awareness of prostate cancer;

(B) to take an active role in the fight to end the devastating effects of prostate cancer on individuals, families, and the economy; and

(C) to observe National Prostate Cancer Awareness Month with appropriate ceremonies and activities.

#### SENATE RESOLUTION 777—EXPRESSING THE SUPPORT OF THE SENATE FOR THE CONTRIBUTIONS AND ACHIEVEMENTS OF STUDENT PARENTS AND RECOGNIZING SEPTEMBER 2022 AS NATIONAL STUDENT PARENT MONTH

Ms. DUCKWORTH (for herself and Mr. MORAN) submitted the following resolution; which was considered and agreed to:

##### S. RES. 777

Whereas student parents are individuals who have children and who attend postsecondary educational institutions;

Whereas student parents make up roughly ¼ of the postsecondary student population, totaling nearly 4,000,000 individuals;

Whereas 70 percent of student parents are women, and 43 percent of student parents are single mothers, with nearly ½ of such student parents being first-generation college students;

Whereas 54 percent of single mothers who are enrolled at an institution of higher education work 20 hours or more per week and 43 percent work 30 hours or more per week, which requires those individuals to balance school, work, and caring for their dependents;

Whereas 51 percent of student parents are students of color, particularly female students of color, with mothers representing—

(1) 40 percent of Black postsecondary students;

(2) 36 percent of American Indian and Alaska Native postsecondary students;

(3) 35 percent of Native Hawaiian and Pacific Islander postsecondary students; and

(4) 26 percent of Hispanic postsecondary students;

Whereas 47 percent of student parents are military-connected students;

Whereas approximately 2,500 surviving military spouses, a majority of whom are parenting at least 1 child, are using education benefits from the Department of Veterans Affairs for surviving dependents;

Whereas 84 percent of military spouses have some college education or credential

and, on average, make 25 percent less than their civilian counterparts;

Whereas nearly ¾ of student parents have incomes at, below, or near the Federal poverty line;

Whereas 42 percent of student parents attend community colleges and 30 percent attend public or private nonprofit 4-year institutions of higher education;

Whereas 1 in 3 college students enrolled in a health care program is a student parent;

Whereas 53 percent of student parents reported food insecurity and 68 percent reported housing insecurity;

Whereas, on average, student parents have higher grade point averages than their non-parenting peers, but student parents are 10 times less likely to complete a bachelor's degree within 5 years than students without children;

Whereas a low-income student parent who earns a degree or credential boosts the income of that individual, and the earning potential of the children of that individual when those children become adults, by 17 percent; and

Whereas student parents are uniquely motivated to excel in their courses of study while often facing challenges, including lack of affordable child care and balancing work responsibilities while attending postsecondary educational institutions: Now, therefore be it

*Resolved*, That the Senate—

(1) expresses support for the contributions and achievements of student parents in seeking and completing a postsecondary education; and

(2) designates September 2022 as “National Student Parent Month”.

#### SENATE RESOLUTION 778—SUPPORTING THE DESIGNATION OF SEPTEMBER 2022 AS “NATIONAL RECOVERY MONTH”

Mr. KING (for himself, Mrs. CAPITO, Mr. MANCHIN, and Mr. LUJÁN) submitted the following resolution; which was considered and agreed to:

##### S. RES. 778

Whereas the theme for National Recovery Month in 2022 is “Every Person. Every Family. Every Community.”;

Whereas more than 107,000 individuals in the United States suffered a fatal alcohol or drug overdose during 2021, an increase of almost 15 percent as compared to 2020;

Whereas, during the COVID-19 pandemic, increased isolation and reduced access to treatment programs contributed to an increase in individuals reporting anxiety and depression disorders as compared to 2019, with 13 percent of individuals in the United States reporting starting or increasing substance use during 2020;

Whereas, in 2020, there were approximately 21,000,000 individuals in the United States aged 18 or older in recovery from alcohol or drug addiction;

Whereas, in 2018, it was estimated that the total cost to the economy of the United States of prescription opioid misuse, including the costs of healthcare, lost productivity, and involvement of the criminal justice system, is \$78,500,000,000 annually, and that figure has grown as a result of the COVID-19 pandemic;

Whereas trauma is a risk factor for substance use disorder, and there is a strong link between adverse childhood experiences or traumatic events and experiencing substance use disorder later in life;

Whereas individuals with substance use disorder may face stigma from health professionals, as well as from friends and family;

Whereas it has been demonstrated that stigma can be a barrier to accessing treatment and engaging in recovery for individuals with substance use disorder; and

Whereas peer-supported communities offer individuals with substance use disorder better success in recovery by addressing the personal and emotional effects of addiction and easing reintegration: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the importance of education for the prevention of substance use disorder;

(2) acknowledges that factors such as increased social isolation, mental distress, and reduced access to substance use disorder treatment during the COVID-19 pandemic have contributed to an increase in the number of deaths related to substance use disorder;

(3) supports efforts to explore the means by which integrated care, community, and sense of purpose can lead to effective and sustainable treatment of substance use disorder;

(4) shows appreciation and gratitude for family members, friends, and other individuals who support individuals in recovery from substance use disorder; and

(5) supports the designation of September 2022 as “National Recovery Month”.

#### SENATE RESOLUTION 779—DESIGNATING THE WEEK OF SEPTEMBER 17 THROUGH SEPTEMBER 24, 2022, AS “NATIONAL ESTUARIES WEEK”

Mr. WHITEHOUSE (for himself, Ms. BALDWIN, Mr. BOOKER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mrs. FEINSTEIN, Ms. HASSAN, Ms. HIRONO, Mr. KAINE, Mr. KING, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. PORTMAN, Mr. REED, Mr. RUBIO, Mrs. SHAHEEN, Mr. VAN HOLLEN, and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 779

Whereas estuary regions cover only 13 percent of the land area in the continental United States, but contain nearly 40 percent of the population, 39 percent of the jobs, and 47 percent of the economic output of the United States;

Whereas the oceans, estuaries, and Great Lakes of the United States continue to fuel economic growth across the United States, which is evidenced by the fact that, by 2019—

(1) employment levels in economic sectors relating to oceans and estuaries had increased by 25 percent from employment levels in those sectors in 2007, before the Great Recession; and

(2) the average employment level of the entire economy of the United States had increased by 9 percent from that employment level in 2007, before the Great Recession;

Whereas, between 2018 and 2019, economic sectors relating to estuaries, oceans, and Great Lakes in the United States—

(1) created 88,000 new jobs;

(2) employed 3,500,000 individuals; and

(3) contributed \$351,000,000,000 to the gross domestic product;

Whereas the commercial and recreational fishing industries support more than 1,800,000 jobs in the United States;

Whereas, in 2019—

(1) commercial and recreational saltwater fishing in the United States generated more than \$255,000,000,000 in sales and contributed \$117,000,000,000 to the gross domestic product of the United States;

(2) angler trip expenditures totaled nearly \$10,025,000,000; and

(3) saltwater recreational fishing supported 553,000 jobs, generated \$89,340,000,000 in sales across the United States, and contributed \$50,122,000,000 to the gross domestic product of the United States;

Whereas estuaries provide vital habitats for—

(1) countless species of fish and wildlife, including more than 68 percent of the commercial fish catch in the United States by value and 80 percent of the recreational fish catch in the United States by weight; and

(2) many species that are listed as threatened or endangered species;

Whereas estuaries provide critical ecosystem services that protect human health and public safety, including water filtration, flood control, shoreline stabilization, erosion prevention, and the protection of coastal communities during hurricanes, storms, and other extreme weather events;

Whereas, by the 1980s, the United States had already lost more than 50 percent of the wetlands that existed in the original 13 colonies;

Whereas some bays in the United States that were once filled with fish and oysters have become dead zones filled with excess nutrients, chemical waste, and marine debris;

Whereas harmful algal blooms are hurting fish, wildlife, and human health, and are causing serious ecological and economic harm to some estuaries;

Whereas changes in sea levels can affect estuarine water quality and estuarine habitats;

Whereas section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) (commonly known as the “Clean Water Act”) authorizes the development of comprehensive conservation and management plans to ensure that the designated uses of estuaries are protected and to restore and maintain—

(1) the chemical, physical, and biological integrity of estuaries;

(2) water quality;

(3) a balanced indigenous population of shellfish, fish, and wildlife; and

(4) recreational activities in estuaries;

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) provides that the policy of the United States is to preserve, protect, develop, and, if possible, restore or enhance the resources of the coastal zone of the United States, including estuaries, for current and future generations;

Whereas 29 coastal and Great Lakes States and territories of the United States operate or contain a National Estuary Program or a National Estuarine Research Reserve;

Whereas scientific study leads to a better understanding of the benefits of estuaries to human and ecological communities;

Whereas the Federal Government, State, local, and Tribal governments, national and community organizations, and individuals work together to effectively manage the estuaries of the United States;

Whereas estuary restoration efforts restore natural infrastructure in local communities in a cost-effective manner, helping to create jobs and reestablish the natural functions of estuaries that yield countless benefits; and

Whereas the week of September 17 through September 24, 2022, is recognized as “National Estuaries Week” to increase awareness among all people of the United States, including Federal Government and State, local, and Tribal government officials, about the importance of healthy estuaries and the need to protect and restore estuaries: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 17 through September 24, 2022, as “National Estuaries Week”;

(2) supports the goals and ideals of National Estuaries Week;

(3) acknowledges the importance of estuaries to sustaining employment in the United States and the economic well-being and prosperity of the United States;

(4) recognizes that persistent threats undermine the health of estuaries;

(5) applauds the work of national and community organizations and public partners that promote public awareness, understanding, protection, and restoration of estuaries;

(6) supports the scientific study, preservation, protection, and restoration of estuaries; and

(7) expresses the intent of the Senate to continue working to understand, protect, and restore the estuaries of the United States.

#### SENATE RESOLUTION 780—DESIGNATING SEPTEMBER 2022 AS “NATIONAL WORKFORCE DEVELOPMENT MONTH”

Mrs. FEINSTEIN (for herself, Mr. YOUNG, Ms. BALDWIN, Mr. SCOTT of South Carolina, Ms. HIRONO, Mr. CASEY, Mr. DAINES, Ms. CANTWELL, Mrs. HYDE-SMITH, Ms. HASSAN, Mr. CRAMER, Mr. DURBIN, Mr. BRAUN, Ms. KLOBUCHAR, Mr. PADILLA, Mrs. BLACKBURN, Mr. WICKER, Mr. COONS, Mrs. CAPITO, Mr. LUJÁN, Mr. HICKENLOOPER, Mr. PETERS, Ms. SMITH, Mr. KELLY, Mr. BLUMENTHAL, Ms. COLLINS, Mr. RUBIO, Mr. MURPHY, and Ms. CORTEZ MASTO) submitted the following resolution; which was considered and agreed to:

S. RES. 780

Whereas investment in the education, training, and career advancement of the workforce in the United States, known as “workforce development”, is crucial to the ability of the United States to compete in the global economy;

Whereas collaboration among Governors, local governments, State and local education, workforce, and human services agencies, community colleges, local businesses, employment service providers, community-based organizations, and workforce development boards provides for long-term, sustainable, and successful workforce development across traditional sectors and emerging industries;

Whereas the number of jobs that require more than a high school diploma, but not a 4-year degree, is projected to increase by approximately 23 percent by 2030;

Whereas 76 percent of business leaders say greater investment in skills training would help their businesses;

Whereas, in 2021, a record 47,400,000 individuals in the United States quit their jobs, many of whom did so to improve their employment situation;

Whereas, as of July 2022 in the United States—

(1) approximately 5,700,000 individuals are unemployed;

(2) unemployment rates for Black and Hispanic adults are well above the unemployment rates for White adults;

(3) workers without postsecondary education and training are more likely to be unemployed;

(4) more than ½ of the jobs lost due to the Coronavirus Disease 2019 (COVID-19) pandemic were by workers earning less than \$40,000 per year; and

(5) according to a recent poll, 44 percent of United States workers said their current job

may be at risk due to new developments in technology and automation, while 50 percent said they would retrain for a career in a different field or industry if they had the opportunity;

Whereas, in 2014, Congress reauthorized the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) with overwhelming bipartisan support in recognition of the need to strengthen the focus of the United States on the skills necessary to effectively prepare individuals for employment in local and regional industries;

Whereas the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) supports employment, training, and support services for individuals with barriers to employment, including—

- (1) individuals who earn low incomes;
- (2) individuals who are out of work, including the long-term unemployed;
- (3) individuals displaced by outsourcing;
- (4) individuals living in rural areas or areas with persistently high unemployment;
- (5) individuals looking to learn new skills; and
- (6) individuals with disabilities;

Whereas the more than 550 workforce development boards and 2,400 American Job Centers are a driving force behind growing regional economies by providing training, resources, and assistance to workers who aim to compete in the 21st century economy;

Whereas ongoing State and local implementation of the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) provides unprecedented opportunities to develop the skills of workers in the United States through access to effective, quality workforce education and training, including the development and delivery of proven strategies such as sector partnerships, career pathways, integrated education and training, work-based learning models, and paid internships;

Whereas, in 2022, programs authorized under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.) are projected to serve more than 5,000,000 young people and adults;

Whereas State programs established under the Wagner-Peyser Act (29 U.S.C. 49 et seq.)—

- (1) ensured that approximately 2,500,000 workers, including more than 146,000 veterans and more than 120,000 individuals with disabilities, had access to career services virtually and through American Job Centers during the 2020 program year; and
- (2) are a foundational part of the workforce development system;

Whereas community colleges and other workforce development training providers across the United States are well situated—

- (1) to train the next generation of workers in the United States; and
- (2) to address the educational challenges created by emerging industries and technological advancements;

Whereas participation in a career and technical education (referred to in this preamble as “CTE”) program decreases the risk of students dropping out of high school, and all 50 States and the District of Columbia report higher graduation rates for CTE students compared to other students;

Whereas community and technical colleges operate as open-access institutions serving millions of students annually at a comparatively low cost;

Whereas the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115-224; 132 Stat. 1563) supports the development and implementation of high-quality CTE programs that—

- (1) combine rigorous academic content with occupational skills; and

(2) serve approximately 12,300,000 high school and college students across the United States;

Whereas there are approximately 600,000 registered apprentices in the United States, and there is growing and bipartisan support for expanding quality earn-and-learn strategies to help current and future workers gain skills and work experience;

Whereas the federally supported workforce system and partner programs—

(1) have helped rebuild the economy of the United States and provide increased economic opportunities; and

(2) provide a pathway into 21st century jobs that support families while ensuring that businesses in the United States find the skilled workforce needed to compete in the global economy; and

Whereas workforce development is crucial to sustaining economic security for workers in the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2022 as “National Workforce Development Month”;

(2) supports Federal initiatives to promote workforce development; and

(3) acknowledges that workforce development plays a crucial role in supporting workers and growing the economy.

Mrs. FEINSTEIN. Mr. President, I rise today to support my bipartisan resolution—which I introduce along with Senators TODD YOUNG, TAMMY BALDWIN, and TIM SCOTT—to designate September 2022 as National Workforce Development Month and to highlight the importance of workforce development programs for dislocated workers, low-income adults, and at-risk youth.

According to a recent poll, nearly half of U.S. workers said their current job may be at risk due to advancements in technology and automation. By 2030, the number of U.S.-based jobs that will require more than a high school degree but not those of a 4-year college education is expected to increase by nearly one-quarter. Our economy is changing, and our workforce must change along with it.

Accordingly, both business leaders and workers say that they would benefit from investments in worker skills training and development.

In response to the needs of workers and businesses, Congress reauthorized the Workforce Innovation and Opportunity Act in 2014, which passed with strong bipartisan support. This landmark legislation has supported employment, training, and support services in recognition of the need to strengthen the focus of the United States on the skills necessary to effectively prepare individuals for employment in local and regional industries.

The COVID-19 pandemic has led many Americans to adapt their work habits and change their jobs or career paths. The pandemic has also altered the demands for many jobs. It is therefore imperative for us to prioritize workforce development programs focused on this new reality while also getting people back to work.

This resolution reaffirms the impact that education, skills training, and career advancement training can have on workers’ ability to improve their lives.

Our resolution would designate September 2022 as National Workforce De-

velopment Month, something Congress has done each year since 2017. More specifically, our resolution would reaffirm the Senate’s support for Federal initiatives promoting workforce development and acknowledge the vital role this training plays in supporting employees, businesses, and our national economic prosperity.

As the needs of businesses and workers change, it is important that Congress support the development of a skilled workforce. I hope my colleagues will join me in support of this resolution.

**SENATE RESOLUTION 781—RECOGNIZING THE SERIOUSNESS OF POLYCYSTIC OVARY SYNDROME (PCOS) AND EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2022 AS “PCOS AWARENESS MONTH.”**

Ms. WARREN (for herself, Mrs. FISCHER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. CAPITO, Mr. CARDIN, Mrs. FEINSTEIN, Mr. LANKFORD, Mr. MARKEY, Mr. MARSHALL, Mr. PADILLA, Mr. RUBIO, Ms. STABENOW, Mr. VAN HOLLEN, and Mr. WARNOCK) submitted the following resolution; which was considered and agreed to:

S. RES. 781

Whereas polycystic ovary syndrome (referred to in this preamble as “PCOS”) is a common health problem among women and girls involving a hormonal imbalance;

Whereas there is no universal definition of PCOS, but researchers estimate that between 8 and 12 percent of women in the United States are affected by the condition;

Whereas, according to a 2021 study, the annual burden of PCOS in the United States is estimated to be \$8,000,000,000, and this estimate does not include—

(1) the economic burden of mental health disorders associated with PCOS;

(2) indirect and intangible costs related to the disorder; or

(3) the cost of comorbidities in post-menopausal or adolescence;

Whereas PCOS can affect girls at the onset of puberty and throughout the remainder of their lives;

Whereas the symptoms of PCOS include infertility, irregular or absent menstrual periods, acne, weight gain, thinning of scalp hair, excessive facial and body hair growth, numerous small ovarian cysts, pelvic pain, and mental health problems;

Whereas women with PCOS have higher rates of mental health disorders, including depression, anxiety, bipolar disorder, and eating disorders, and are at greater risk for suicide;

Whereas adolescents with PCOS often are not diagnosed, and many have metabolic dysfunction and insulin resistance, which can lead to type 2 diabetes, cardiovascular disease, obstructive sleep apnea, non-alcoholic fatty liver disease, and endometrial cancer at a young adult age;

Whereas PCOS is a common cause of female infertility;

Whereas PCOS in pregnancy is associated with increased risk of gestational diabetes, preeclampsia, pregnancy-induced hypertension, preterm delivery, cesarean delivery, miscarriage, and fetal and infant death;

Whereas women with PCOS are at increased risk of developing high blood pressure, high cholesterol, stroke, and heart disease (the leading cause of death among women);

Whereas women with PCOS have a more than 50 percent chance of developing type 2 diabetes or prediabetes before the age of 40;

Whereas women with PCOS may be at a higher risk for breast cancer and ovarian cancer, and their risk for developing endometrial cancer is 3 times higher than women who do not have PCOS;

Whereas research has found genetic evidence of a link between depression and PCOS;

Whereas research has indicated PCOS shares a genetic architecture with metabolic traits, as evidenced by genetic correlations between PCOS and obesity, fasting insulin, type 2 diabetes, lipid levels, and coronary artery disease;

Whereas adolescents with PCOS are at markedly increased risk for type 2 diabetes, fatty liver disease, and heart disease;

Whereas PCOS negatively alters metabolic function independent of, but exacerbated by, an increased body mass index (BMI);

Whereas an estimated 50 percent of women with PCOS are undiagnosed and many remain undiagnosed until they experience fertility difficulties or develop type 2 diabetes or other cardiometabolic disorders;

Whereas the cause of PCOS is unknown, but researchers have found strong links to a genetic predisposition and significant insulin resistance, which affects up to 70 percent of women with PCOS; and

Whereas there is no known cure for PCOS: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes polycystic ovary syndrome (referred to in this resolution as “PCOS”) as a serious disorder that impacts many aspects of health, including cardiometabolic, reproductive, and mental health, and quality of life;

(2) expresses support for the designation of September 2022 as “PCOS Awareness Month”;

(3) supports the goals and ideals of PCOS Awareness Month, which are—

(A) to increase awareness of, and education about, PCOS and its connection to comorbidities, such as type 2 diabetes, endometrial cancer, cardiovascular disease, nonalcoholic fatty liver disease, and mental health disorders, among the general public, women, girls, and health care professionals;

(B) to improve diagnosis and treatment of PCOS;

(C) to disseminate information on diagnosis, treatment, and management of PCOS, including prevention of comorbidities such as type 2 diabetes, endometrial cancer, cardiovascular disease, nonalcoholic fatty liver disease, and eating disorders; and

(D) to improve quality of life and outcomes for women and girls with PCOS;

(4) recognizes the need for further research, improved treatment and care options, and a cure for PCOS;

(5) acknowledges the struggles affecting all women and girls who have PCOS in the United States;

(6) urges medical researchers and health care professionals to advance their understanding of PCOS to improve research, diagnosis, and treatment of PCOS for women and girls; and

(7) encourages States, territories, and localities to support the goals and ideals of PCOS Awareness Month.

# SENATE RESOLUTION 782—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THE IMMENSE CONTRIBUTIONS OF LATINOS TO THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. CORNYN, Mrs. SHAHEEN, Mr. BENNET, Mr. VAN HOLLEN, Ms. CORTEZ MASTO, Mrs. FEINSTEIN, Mr. MARKEY, Ms. SINEMA, Mr. PADILLA, Ms. ROSEN, Mr. REED, Mr. COONS, Ms. HIRONO, Mr. CARPER, Mr. MURPHY, Mr. LUJÁN, Mr. CASEY, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. HEINRICH, Mr. BLUMENTHAL, Mr. WARNOCK, Mr. SCOTT of Florida, Mr. RUBIO, Mr. HAGERTY, Mr. HICKENLOOPER, Mr. OSSOFF, Mr. BOOKER, Ms. DUCKWORTH, Mr. KING, Mr. WYDEN, Ms. BALDWIN, Mr. CASSIDY, Ms. HASSAN, Mr. WARNER, Ms. CANTWELL, Mr. SANDERS, Mr. CARDIN, Mr. KELLY, Mr. BROWN, Ms. WARREN, Ms. COLLINS, Mrs. MURRAY, Ms. SMITH, Mr. KAINE, Mr. DURBIN, Mr. SCOTT of South Carolina, and Mr. LANKFORD) submitted the following resolution; which was considered and agreed to:

S. RES. 782

Whereas, from September 15, 2022, through October 15, 2022, the United States celebrates Hispanic Heritage Month;

Whereas the Bureau of the Census estimates the Hispanic population living in the 50 States at more than 62,000,000 people, plus close to 3,200,000 people living in the Commonwealth of Puerto Rico, making Hispanic Americans approximately 19 percent of the total population of the United States and the largest racial or ethnic minority group in the United States;

Whereas, in 2021, there were close to 1,000,000 or more Latino residents in the Commonwealth of Puerto Rico and in each of the States of Arizona, California, Colorado, Florida, Georgia, Illinois, Massachusetts, Nevada, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Texas, and Washington;

Whereas, from 2010 to 2020, Latinos grew the population of the United States by more than 11,600,000 individuals, accounting for more than ½ of the total population growth of the United States during that period;

Whereas the Latino population in the United States is projected to grow to 111,200,000 people by 2060, at which point the Latino population will comprise more than 28 percent of the total population of the United States;

Whereas the Latino population in the United States is currently the third largest population of Latinos worldwide, exceeding the size of the population in every Latin American and Caribbean country, except Mexico and Brazil;

Whereas, in 2020, there were more than 18,630,000 Latino children under 18 years of age in the United States, which represents approximately ¼ of the total Latino population in the United States;

Whereas 27.5 percent of public school students in the United States are Latino, and the share of Latino students is expected to rise to nearly 30 percent by 2027;

Whereas approximately 20 percent of all college students in the United States are Latino, making Latinos the second largest racial or ethnic minority group enrolled in higher education in the United States, including 2-year community colleges and 4-year colleges and universities;

Whereas, from 1996 to 2018, the number of Hispanic students enrolled in schools, colleges, and universities in the United States increased from 8,800,000 to more than 18,000,000, and Hispanics now make up 25 percent of all people enrolled in school in the United States;

Whereas 30,600,000 Latinos were eligible to vote in the 2020 Presidential election, representing 13.2 percent of the electorate in the United States;

Whereas, in the 2020 Presidential election, Latinos cast 16,600,000 votes, a 30.9-percent increase from the number of votes cast by Latinos in the 2016 Presidential election;

Whereas the number of eligible Latino voters is expected to rise to more than 32,400,000 by 2036, accounting for approximately 20 percent of the eligible electorate in the United States by 2036;

Whereas, each year, approximately 800,000 Latino citizens of the United States reach 18 years of age and become eligible to vote, a number that could grow to 1,000,000 per year, potentially adding 10,000,000 new Latino voters by 2032;

Whereas it is estimated that, in 2021, the annual purchasing power of Hispanic Americans was \$1,900,000,000, which is an amount greater than the economy of all except 9 countries in the world;

Whereas there are approximately 5,000,000 Hispanic-owned businesses in the United States, supporting millions of employees nationwide and contributing more than \$800,000,000,000 in revenue to the economy of the United States;

Whereas, by 2020, the number of Hispanic-owned businesses had grown by 34 percent since 2010, representing the fastest growing segment of small businesses in the United States, with those businesses representing 5.8 percent of all businesses in the United States;

Whereas, as of August 2020, more than 29,000,000 Latino workers represented 18 percent of the total civilian labor force of the United States, and, as a result of Latinos experiencing the fastest population growth of all race and ethnicity groups in the United States, the rate of Latino participation in the labor force is expected to grow to 35,900,000 by 2030, accounting for ⅓ of the total labor force;

Whereas, in 2022, the labor force participation rate of Latinos was 66.5 percent, higher than the labor force participation rate of non-Hispanics, which was 62.2 percent;

Whereas, as of 2021, there were approximately 426,840 Latino elementary, middle, and secondary school teachers, 123,136 Latino chief executives of businesses, 74,865 Latino lawyers, 58,492 Latino physicians and surgeons, and 20,788 Latino psychologists, who contribute to the United States through their professions;

Whereas Hispanic Americans serve in all branches of the Armed Forces and have fought bravely in every war in the history of the United States;

Whereas, as of 2021—

(1) more than 230,000 Hispanic members of the Armed Forces serve on active duty; and  
(2) there are more than 1,500,000 Hispanic veterans of the Armed Forces, including approximately 203,000 Latinas;

Whereas, as of 2018, more than 399,000 Hispanics have served in post-September 11, 2001, overseas contingency operations, and Hispanics represent 12.1 percent of the total number of veterans who have served in operations in Iraq and Afghanistan since September 11, 2001;

Whereas, as of August 2021, at least 693 fatalities in Iraq and Afghanistan were members of the Armed Forces who were Hispanic;

Whereas an estimated 200,000 Hispanics were mobilized for World War I, and more

than 500,000 Hispanics served in World War II;

Whereas more than 80,000 Hispanics served in the Vietnam war, representing 5.5 percent of individuals who made the ultimate sacrifice for the United States in that conflict, even though Hispanics comprised only 4.5 percent of the population of the United States during the Vietnam war;

Whereas approximately 150,000 Hispanic soldiers served in the Korean war, including the 65th Infantry Regiment of the Commonwealth of Puerto Rico, known as the "Borinqueneers", the only active duty, segregated Latino military unit in the history of the United States;

Whereas 61 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force bestowed on an individual serving in the Armed Forces;

Whereas in 2020, Congress established the National Museum of the American Latino, which, when complete, will display the achievements, diversity, and legacy of the Hispanic community in the United States;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of the Government of the United States, including 1 seat on the Supreme Court of the United States, 6 seats in the Senate, and 45 seats in the House of Representatives; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2022, through October 15, 2022;

(2) esteems the integral role of Latinos and the manifold heritages of Latinos in the economy, culture, and identity of the United States; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities that celebrate the contributions of Latinos to the United States.

# SENATE RESOLUTION 783—COMMEMORATING THE 75TH ANNIVERSARY OF THE ESTABLISHMENT OF THE DEPARTMENT OF THE AIR FORCE AND CELEBRATING THE UNITED STATES AIR FORCE FOR 75 YEARS OF SERVING AND DEFENDING THE UNITED STATES

Mr. BOOZMAN (for himself, Mr. TESTER, Mr. HOEVEN, Mr. BROWN, Mr. WARNOCK, and Ms. ROSEN) submitted the following resolution; which was considered and agreed to:

S. RES. 783

Whereas, on August 1, 1907, the Aeronautical Division of the Army Signal Corps, consisting of 1 officer and 2 enlisted men, began operation under the command of Captain Charles deForest Chandler with the responsibility for "all matters pertaining to military ballooning, air machines, and all kindred subjects";

Whereas, in 1908, the Department of War contracted with the Wright brothers to build 1 heavier-than-air flying machine for the Army and, in 1909, the Department of War accepted the Wright Military Flyer, the first military airplane in the world;

Whereas pilots of the United States, flying with both Allied air forces and with the Army Air Service, performed admirably dur-

ing the course of World War I, the first air war in history, by participating in pursuit, observation, and day and night bombing missions;

Whereas pioneering aviators of the United States, including Mason M. Patrick, William "Billy" Mitchell, Benjamin D. Foulois, Frank M. Andrews, Henry H. "Hap" Arnold, James H. "Jimmy" Doolittle, and Edward "Eddie" Rickenbacker, were among the first individuals to recognize the military potential of airpower and, in the decades following World War I, courageously laid the foundation for the creation of an independent arm for the air forces of the United States;

Whereas General Henry H. "Hap" Arnold drew upon the industrial prowess and human resources of the United States to transform the Army Air Corps from a force of 22,000 men and 3,900 aircraft in 1939, into an entity with a peak wartime strength of nearly 2,500,000 personnel and 75,000 aircraft;

Whereas, on June 20, 1941, the Department of War established the Army Air Forces as the aviation element of that Department and, shortly thereafter, the Department made the Army Air Forces co-equal to the Army Ground Forces;

Whereas the standard for courage, flexibility, and intrepidity in combat was established for all airmen during the first aerial raid in the Pacific Theater on April 18, 1942, when Lieutenant Colonel James "Jimmy" H. Doolittle led 16 North American B-25 Mitchell bombers in a joint operation from the deck of the USS Hornet to strike the Japanese mainland in response to the Japanese attack on Pearl Harbor;

Whereas the National Security Act of 1947 (50 U.S.C. 3001 et seq.), signed into law by President Harry S. Truman, realigned and reorganized the Armed Forces to establish the Department of the Air Force and the United States Air Force (referred to in this preamble as the "USAF") as separate from other military services;

Whereas, on September 18, 1947, W. Stuart Symington became the first Secretary of the newly formed and independent Air Force, marking the date on which the USAF was established;

Whereas the Air National Guard was also created by the National Security Act of 1947 (50 U.S.C. 3001 et seq.) and has played a vital role in guarding the United States and defending freedom in nearly every major conflict and contingency since its creation;

Whereas, on October 14, 1947, the USAF demonstrated the historic and ongoing commitment of the USAF to technological innovation when Captain Charles "Chuck" Yeager piloted the X-1 developmental rocket plane to a speed of Mach 1.06, becoming the first flyer to break the sound barrier in a powered aircraft in level flight;

Whereas the Air Force Reserve, created on April 14, 1948, is comprised of citizen airmen who serve as unrivaled wingmen of the active duty USAF during every deployment and on every mission and battlefield around the world in which the USAF is engaged;

Whereas the USAF carried out the Berlin Airlift in 1948 and 1949 to provide humanitarian relief to post-war Germany and has established a tradition of offering humanitarian assistance when responding to natural disasters and needs across the world;

Whereas the Tuskegee Airmen served the United States with tremendous dignity and honor, overcame segregation and prejudice to become one of the most highly respected fighter groups of World War II, and helped to establish a policy of racial integration within the ranks of the USAF, as, on April 26, 1948, the USAF became the first military branch to announce a policy of racial integration, a full 3 months before an executive order integrated all military services;

Whereas, in the early years of the Cold War, the arsenal of bombers of the USAF, such as the long-range Convair B-58 Hustler and B-36 Peacemaker, and the Boeing B-47 Stratojet and B-52 Stratofortress, served as the preeminent deterrent of the United States against the forces of the Soviet Union and were later augmented by the development and deployment of medium range and intercontinental ballistic missiles, such as the Titan and Minuteman, developed by General Bernard A. Schriever;

Whereas, on April 1, 1954, President Dwight D. Eisenhower signed legislation establishing the United States Air Force Academy, the mission of which is to educate, develop, and inspire men and women to become aerospace officers and leaders of impeccable character and knowledge, and which, as of 2022, has graduated 64 classes and commissioned 53,491 officers into the USAF and United States Space Force (referred to in this preamble as the "USSF");

Whereas, during the Korean War, the USAF employed the first large-scale combat use of jet aircraft, helped to establish air superiority over the Korean Peninsula, protected ground forces of the United Nations with close air support, and interdicted enemy reinforcements and supplies;

Whereas, during the Vietnam War, the USAF engaged in a limited campaign of airpower to assist the South Vietnamese government in countering the communist Viet Cong guerillas and fought to disrupt supply lines, halt enemy ground offensives, and protect United States and Allied forces;

Whereas, on April 3, 1967, former prisoner of war Paul W. Airey, a career radio operator, aerial gunner, and First Sergeant, became the first Chief Master Sergeant of the USAF;

Whereas, in recent decades, the USAF and coalition partners of the United States have supported successful actions in Grenada, Panama, Iraq, Kuwait, Somalia, Bosnia-Herzegovina, Haiti, Kosovo, Afghanistan, Libya, Syria, and many other locations around the world;

Whereas USAF Special Operations Command has served with honor and distinction around the world since its activation in 1990, providing the United States with specialized airpower across the broad spectrum of conflicts in any place and at any time;

Whereas, for over 3 decades beginning in 1990, airmen engaged in continuous combat operations from Operation Desert Shield to Operation Inherent Resolve, demonstrating an air and space expeditionary force of outstanding capability that is ready to fight and win wars and deter aggression whenever and wherever called upon;

Whereas, when terrorists attacked the United States on September 11, 2001, fighter and air refueling aircraft of the USAF took to the skies to fly combat air patrols over major cities of the United States and protect the people of the United States from further attack;

Whereas, on December 20, 2019, in recognition that space had become a warfighting domain, former President Donald Trump signed legislation establishing the USSF as an independent service to ensure that the space domain remained open to all countries;

Whereas, on May 30, 2020, in collaboration and engagement with interagency and commercial partners, the USSF provided unparalleled space launch capabilities in support of the first manned spaceflight from American soil in 9 years;

Whereas, in 2021, in a step toward organizing the forces of the USSF to meet the needs of an independent military service devoted to space, the USSF activated Space



Operations Command, Space Systems Command, and Space Training and Readiness Command;

Whereas, to establish a unique and enduring culture for the USSF, the Department of the Air Force redesignated certain Air Force Bases and Air Force Stations supporting the USSF mission as Space Force Bases and Space Force Stations and graduated its first-ever basic military training course taught completely by USSF training instructors;

Whereas space capabilities provide the foundation for everything the United States Armed Forces do, from humanitarian efforts to combat operations;

Whereas, in 2022, following a 'wings of hope and compassion' tradition dating back more than a century, when airmen provided food and supplies to Texas flood victims in 1919, the USAF and coalition partners airlifted 124,334 people out of Afghanistan in the largest non-combatant evacuation airlift in United States history, spanning 17 days, 9 countries, 8 time zones, and more than 10 temporary safe havens;

Whereas, since February 24, 2022, airmen and guardians have responded to Russian aggression against Ukraine by guarding the skies of members of the North Atlantic Treaty Organization (commonly referred to as "NATO"), transporting essential equipment to the Ukrainian military, and providing critical support from space;

Whereas women have played a prominent role in the evolution of the Department of the Air Force, courageously fighting alongside their male counterparts and dedicating their lives to protecting peace, liberty, and freedom around the world as they provide air and space power whenever and wherever needed;

Whereas the Department of the Air Force has made tremendous strides in the global warfighting domain of cyberspace by revolutionizing offensive and defensive capabilities and effects with speed, agility, and surgical precision, thereby ensuring the continuous command, control, and execution of operations in contested, degraded, and limited environments;

Whereas the Civil Air Patrol, as a Total Force partner and auxiliary of the USAF, has maintained a steadfast commitment to the United States and the communities of the United States through a proud legacy of service, from the earliest days of World War II, when the Civil Air Patrol protected the shorelines of the United States, through 2022, as the Civil Air Patrol executes emergency service missions and aerospace education programs;

Whereas the Department of the Air Force is steadfast in the commitment to fielding a world-class air and space expeditionary force by recruiting, training, and educating its officer, enlisted, and civilian corps comprising the active duty, Guard, and Reserve components of the Total Force;

Whereas airmen were imprisoned and tortured during several major conflicts, including World War I, World War II, the Vietnam War, the Korean War, and the Persian Gulf War, and, in the valiant tradition of airmen held captive, continued serving the United States with honor and dignity under the most inhumane circumstances;

Whereas airmen have earned the Medal of Honor 19 times, the Air Force Cross 203 times, the Distinguished Service Cross 42 times, and, since September 11, 2001, the Silver Star 92 times;

Whereas the USAF and the USSF are tremendous stewards of resources in developing and applying groundbreaking technology to manage complex acquisition programs for all air and space weapon systems throughout their life cycles;

Whereas talented and dedicated airmen and guardians will continue to make the investments necessary to accelerate transformation and modernization to counter the adversaries of the United States and meet the future challenges of an ever-changing world with limitless strength, resolve, and patriotism;

Whereas the USAF and the USSF are committed to accelerating change and preparing for the future, because failure is not an option;

Whereas, on every continent around the world, airmen and guardians have bravely fought for freedom, liberty, and peace, preserved democracy, and protected the people and interests of the United States;

Whereas the future success of the United States Armed Forces depends upon the ability to control the air and space domains;

Whereas airmen and guardians will continue to be a tremendous resource for the United States in fights across every domain and at every location, thereby ensuring the safety and security of the United States; and

Whereas, for 75 years, the airmen and guardians of the Department of the Air Force, through their exemplary service and sacrifice, have repeatedly proven their value to the United States, the people of the United States, the allies of the United States, and all free people of the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 75th anniversary of the establishment of the Department of the Air Force; and

(2) remembers, honors, and commends the achievements of the United States Air Force and the United States Space Force in serving and defending the United States.

#### SENATE RESOLUTION 784—DESIGNATING THE WEEK BEGINNING ON SEPTEMBER 12, 2022, AS "NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK"

MR. MENENDEZ (for himself, Mr. CORNYN, Mr. PADILLA, Mr. HEINRICH, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. VAN HOLLEN, Mr. BOOKER, Mr. DURBIN, Ms. CANTWELL, Mr. CASEY, Ms. CORTEZ MASTO, Ms. ROSEN, Mr. KAINE, Mrs. FEINSTEIN, Mr. REED, Mr. WYDEN, Mr. KELLY, Mr. BROWN, Mr. SANDERS, Mr. HAGERTY, Mrs. BLACKBURN, Mr. RUBIO, Mr. LANKFORD, and Mr. CRUZ) submitted the following resolution; which was considered and agreed to:

S. RES. 784

Whereas Hispanic-Serving Institutions are degree-granting institutions that have a full-time equivalent undergraduate enrollment of at least 25 percent Hispanic students;

Whereas Hispanic-Serving Institutions play an important role in educating many low-income and underserved students and creating opportunities and increasing access to higher education for such students;

Whereas, in the 2020-2021 academic year, 559 Hispanic-Serving Institutions operated in the United States, the District of Columbia, and Puerto Rico, enrolling more than 3,500,000 Hispanic students, according to the Hispanic Association of Colleges and Universities and Excelencia in Education;

Whereas Hispanic-Serving Institutions are engines of economic mobility and a major contributor to the economic prosperity of the United States;

Whereas, according to the Hispanic Association of Colleges and Universities, Hispanic-Serving Institutions represent 16 percent of all institutions of higher education,

yet serve 30.4 percent of all undergraduate students and 66.1 percent of all Hispanic students;

Whereas Hispanic-Serving Institutions are located in 29 States, the District of Columbia, and Puerto Rico;

Whereas the number of Emerging Hispanic-Serving Institutions, defined as institutions that do not yet meet the threshold of 25 percent Hispanic full-time equivalent enrollment but serve a Hispanic student population of between 15 and 24.9 percent, stands at 393 institutions operating in 38 States and the District of Columbia;

Whereas Hispanic-Serving Institutions are actively involved in empowering and improving the communities in which the institutions are located;

Whereas Hispanic-Serving Institutions are leading efforts to increase Hispanic participation in science, technology, engineering, and mathematics (commonly known as "STEM");

Whereas the top 10 institutions of higher education ranked by Third Way based on the economic mobility of the graduates are Hispanic-Serving Institutions;

Whereas celebrating the vast contributions of Hispanic-Serving Institutions to the United States strengthens the culture of the United States; and

Whereas the achievements and goals of Hispanic-Serving Institutions deserve national recognition: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the achievements and goals of Hispanic-Serving Institutions across the United States, the District of Columbia, and Puerto Rico;

(2) designates the week beginning on September 12, 2022, as "National Hispanic-Serving Institutions Week"; and

(3) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for Hispanic-Serving Institutions in honor of Hispanic Heritage Month.

#### SENATE RESOLUTION 785—DESIGNATING OCTOBER 30, 2022, AS A NATIONAL DAY OF REMEMBRANCE FOR THE WORKERS OF THE NUCLEAR WEAPONS PROGRAM OF THE UNITED STATES

Mrs. MURRAY (for herself, Mrs. BLACKBURN, Mr. HICKENLOOPER, Mr. HAGERTY, Ms. ROSEN, Ms. ERNST, Mr. MANCHIN, Mr. RUBIO, Ms. SINEMA, Mr. MCCONNELL, Ms. CANTWELL, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 785

Whereas, since World War II, hundreds of thousands of patriotic men and women, including uranium miners, millers, and haulers, plutonium processors, and onsite participants at atmospheric nuclear weapons tests, have served the United States by building nuclear weapons for the defense of the United States;

Whereas dedicated workers paid a high price for advancing a nuclear weapons program at the service and for the benefit of the United States, including by developing disabling or fatal illnesses;

Whereas the Senate recognized the contributions, services, and sacrifices that those patriotic men and women made for the defense of the United States in—

(1) Senate Resolution 151, 111th Congress, agreed to May 20, 2009;

(2) Senate Resolution 653, 111th Congress, agreed to September 28, 2010;



(3) Senate Resolution 275, 112th Congress, agreed to September 26, 2011;

(4) Senate Resolution 519, 112th Congress, agreed to August 1, 2012;

(5) Senate Resolution 164, 113th Congress, agreed to September 18, 2013;

(6) Senate Resolution 417, 113th Congress, agreed to July 9, 2014;

(7) Senate Resolution 213, 114th Congress, agreed to September 25, 2015;

(8) Senate Resolution 560, 114th Congress, agreed to November 16, 2016;

(9) Senate Resolution 314, 115th Congress, agreed to October 30, 2017;

(10) Senate Resolution 682, 115th Congress, agreed to October 11, 2018;

(11) Senate Resolution 377, 116th Congress, agreed to October 30, 2019;

(12) Senate Resolution 741, 116th Congress, agreed to September 30, 2020; and

(13) Senate Resolution 438, 117th Congress, agreed to February 25, 2022; and

Whereas those patriotic men and women deserve to be recognized for the contributions, services, and sacrifices they made for the defense of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 30, 2022, as a national day of remembrance for the workers of the nuclear weapons program of the United States, including the uranium miners, millers, and haulers, plutonium processors, and onsite participants at atmospheric nuclear weapons tests; and

(2) encourages the people of the United States to support and participate in appropriate ceremonies, programs, and other activities to commemorate October 30, 2022, as a national day of remembrance for past and present workers of the nuclear weapons program of the United States.

#### SENATE RESOLUTION 786—RECOGNIZING THE HISTORY OF WOMEN'S PROFESSIONAL BASEBALL IN INDIANA

Mr. BRAUN submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 786

Whereas the All American Girls Professional Baseball League (referred to as the “League”) has significant history in Indiana and the History Museum in South Bend holds the largest collection of memorabilia from the League;

Whereas the League was established during World War II to provide a morale boost and family entertainment to aid in the war effort and gained popularity throughout the 1940s;

Whereas, in 1943, South Bend, Indiana became the fourth city to have a team competing in the League, the first women's professional baseball league in the history of the United States;

Whereas South Bend was home to the Blue Sox for all 12 years of the existence of the League and the Blue Sox played at Bendix Field and Playland Park in South Bend, Indiana;

Whereas Fort Wayne was eager to bring a team to the city and the Fort Wayne Daisies debuted in 1945, with games held at North Side High School and later Memorial Park in Fort Wayne;

Whereas the South Bend Blue Sox were both the League and playoff champions for the 1951 season and were the playoff champions for the 1952 season;

Whereas the Fort Wayne Daisies were the league champions for the 1952, 1953, and 1954 seasons;

Whereas Dorothy “Dottie” Schroeder was the only woman who played all 12 seasons in the League and became a favorite player of fans of the South Bend Blue Sox, the Kenosha Comets, the Fort Wayne Daisies, and the Kalamazoo Lassies;

Whereas the 1992 American sports comedy-drama film about the League, “A League of Their Own” was partially filmed in Indiana and was added to the National Film Registry by the Library of Congress in 2012;

Whereas scenes from “A League of Their Own” of home games of the Rockford Peaches were filmed at League Stadium in Huntingburg, Indiana; and

Whereas the championship game between Rockford and Racine in “A League of Their Own” was filmed at Bosse Field in Evansville, Indiana, which is the third oldest baseball park in the country still in use for professional baseball, behind only Fenway Park and Wrigley Field: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that Indiana played a significant role in the history of the All American Girls Professional Baseball League during the existence of the league through the successful teams in Indiana: the South Bend Blue Sox and the Fort Wayne Daisies; and

(2) encourages people throughout Indiana to continue to honor and recognize the history and legacy of women's professional baseball through preservation of memorabilia, facilities, and events that highlight the era of such professional athletes.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 5507. Mr. LEE (for Mr. LEAHY (for himself and Mr. LEE)) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 5508. Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-1, Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”); which was ordered to lie on the table.

SA 5509. Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117-1, supra; which was ordered to lie on the table.

SA 5510. Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 5511. Mr. CASSIDY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5512. Mr. TOOMEY submitted an amendment intended to be proposed to

amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5513. Mr. TOOMEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5514. Mr. TOOMEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5515. Mr. BLUNT (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5516. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

SA 5517. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 5507.** Mr. LEE (for Mr. LEAHY (for himself and Mr. LEE)) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

#### Subtitle H—USA FREEDOM Extension and Amici Curiae Reform Act of 2022

##### SEC. 1081. SHORT TITLE.

This subtitle may be cited as the “USA FREEDOM Extension and Amici Curiae Reform Act of 2022”.

##### SEC. 1082. AMENDMENTS TO THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

Except as otherwise expressly provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.).

##### SEC. 1083. APPOINTMENT OF AMICI CURIAE AND ACCESS TO INFORMATION.

(a) EXPANSION OF APPOINTMENT AUTHORITY.—

(1) IN GENERAL.—Section 103(i)(2) (50 U.S.C. 1803(i)(2)) is amended—

(A) by striking subparagraph (A) and inserting the following:

“(A) shall appoint 1 or more individuals who have been designated under paragraph (1), not fewer than 1 of whom possesses privacy and civil liberties expertise, unless the

court finds that such a qualification is inappropriate, to serve as amicus curiae to assist the court in the consideration of any application or motion for an order or review that, in the opinion of the court—

“(i) presents a novel or significant interpretation of the law, unless the court issues a finding that such appointment is not appropriate;

“(ii) presents significant concerns with respect to the activities of a United States person that are protected by the first amendment to the Constitution of the United States, unless the court issues a finding that such appointment is not appropriate;

“(iii) presents or involves a sensitive investigative matter, unless the court issues a finding that such appointment is not appropriate;

“(iv) presents a request for approval of a new program, a new technology, or a new use of existing technology, unless the court issues a finding that such appointment is not appropriate;

“(v) presents a request for reauthorization of programmatic surveillance, unless the court issues a finding that such appointment is not appropriate; or

“(vi) otherwise presents novel or significant civil liberties issues, unless the court issues a finding that such appointment is not appropriate; and”;

(B) in subparagraph (B), by striking “an individual or organization” each place the term appears and inserting “1 or more individuals or organizations”.

(2) **DEFINITION OF SENSITIVE INVESTIGATIVE MATTER.**—Section 103(i) (50 U.S.C. 1803(i)) is amended by adding at the end the following:

“(12) **DEFINITION.**—In this subsection, the term ‘sensitive investigative matter’ means—

“(A) an investigative matter involving the activities of—

“(i) a domestic public official or political candidate, or an individual serving on the staff of such an official or candidate;

“(ii) a domestic religious or political organization, or a known or suspected United States person prominent in such an organization; or

“(iii) the domestic news media; or

“(B) any other investigative matter involving a domestic entity or a known or suspected United States person that, in the judgment of the applicable court established under subsection (a) or (b), is as sensitive as an investigative matter described in subparagraph (A).”.

(b) **AUTHORITY TO SEEK REVIEW.**—Section 103(i) (50 U.S.C. 1803(i)), as amended by subsection (a) of this section, is amended—

(1) in paragraph (4)—

(A) in the paragraph heading, by inserting “; **AUTHORITY**” after “**DUTIES**”;

(B) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively, and adjusting the margins accordingly;

(C) in the matter preceding clause (i), as so designated, by striking “the amicus curiae shall” and inserting the following: “the amicus curiae—

“(A) shall”;

(D) in subparagraph (A)(i), as so designated, by inserting before the semicolon at the end the following: “, including legal arguments regarding any privacy or civil liberties interest of any United States person that would be significantly impacted by the application or motion”;

(E) by striking the period at the end and inserting the following: “; and

“(B) may seek leave to raise any novel or significant privacy or civil liberties issue relevant to the application or motion or other issue directly impacting the legality of the proposed electronic surveillance with the

court, regardless of whether the court has requested assistance on that issue.”;

(2) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(3) by inserting after paragraph (6) the following:

“(7) **AUTHORITY TO SEEK REVIEW OF DECISIONS.**—

“(A) **FISA COURT DECISIONS.**—

“(i) **PETITION.**—Following issuance of an order under this Act by the Foreign Intelligence Surveillance Court, an amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court to certify for review to the Foreign Intelligence Surveillance Court of Review a question of law pursuant to subsection (j).

“(ii) **WRITTEN STATEMENT OF REASONS.**—If the Foreign Intelligence Surveillance Court denies a petition under this subparagraph, the Foreign Intelligence Surveillance Court shall provide for the record a written statement of the reasons for the denial.

“(iii) **APPOINTMENT.**—Upon certification of any question of law pursuant to this subparagraph, the Court of Review shall appoint the amicus curiae to assist the Court of Review in its consideration of the certified question, unless the Court of Review issues a finding that such appointment is not appropriate.

“(B) **FISA COURT OF REVIEW DECISIONS.**—An amicus curiae appointed under paragraph (2) may petition the Foreign Intelligence Surveillance Court of Review to certify for review to the Supreme Court of the United States any question of law pursuant to section 1254(2) of title 28, United States Code.

“(C) **DECLASSIFICATION OF REFERRALS.**—For purposes of section 602, a petition filed under subparagraph (A) or (B) of this paragraph and all of its content shall be considered a decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in paragraph (2) of section 602(a).”.

(c) **ACCESS TO INFORMATION.**—

(1) **APPLICATION AND MATERIALS.**—Section 103(i)(6) (50 U.S.C. 1803(i)(6)) is amended by striking subparagraph (A) and inserting the following:

“(A) **IN GENERAL.**—

“(i) **RIGHT OF AMICUS.**—If a court established under subsection (a) or (b) appoints an amicus curiae under paragraph (2), the amicus curiae—

“(I) shall have access, to the extent such information is available to the Government, to—

“(aa) the application, certification, petition, motion, and other information and supporting materials, including any information described in section 901, submitted to the Foreign Intelligence Surveillance Court in connection with the matter in which the amicus curiae has been appointed, including access to any relevant legal precedent (including any such precedent that is cited by the Government, including in such an application);

“(bb) an unredacted copy of each relevant decision made by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review in which the court decides a question of law, without regard to whether the decision is classified; and

“(cc) any other information or materials that the court determines are relevant to the duties of the amicus curiae; and

“(II) may make a submission to the court requesting access to any other particular materials or information (or category of materials or information) that the amicus curiae believes to be relevant to the duties of the amicus curiae.

“(ii) **SUPPORTING DOCUMENTATION REGARDING ACCURACY.**—The Foreign Intelligence Surveillance Court, upon the motion of an amicus curiae appointed under paragraph (2) or upon its own motion, may require the Government to make available the supporting documentation described in section 902.”.

(2) **CLARIFICATION OF ACCESS TO CERTAIN INFORMATION.**—Section 103(i)(6) (50 U.S.C. 1803(i)(6)) is amended—

(A) in subparagraph (B), by striking “may” and inserting “shall”;

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

“(C) **CLASSIFIED INFORMATION.**—An amicus curiae designated or appointed by the court shall have access, to the extent such information is available to the Government, to unredacted copies of each opinion, order, transcript, pleading, or other document of the Foreign Intelligence Surveillance Court and the Foreign Intelligence Surveillance Court of Review, including, if the individual is eligible for access to classified information, any classified documents, information, and other materials or proceedings.”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this Act and shall apply with respect to proceedings under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that take place on or after, or are pending on, that date.

#### **SEC. 1084. DECLASSIFICATION OF SIGNIFICANT DECISIONS, ORDERS, AND OPINIONS.**

(a) **MATTERS COVERED.**—Section 602 (50 U.S.C. 1872) is amended—

(1) by striking “Subject to subsection (b)” and inserting “(1) Subject to subsection (b)”;

(2) by striking “includes a significant” and all that follows through “, and,” and inserting “is described in paragraph (2) and,”;

(3) by adding at the end the following: “(2) The decisions, orders, or opinions issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review described in this paragraph are such decisions, orders, or opinions that—

“(A) include a significant construction or interpretation of any provision of law, including any novel or significant construction or interpretation of the term ‘specific selection term’; or

“(B) result from—

“(i) a proceeding in which an amicus curiae has been appointed pursuant to section 103(i);

“(ii) a proceeding in the Foreign Intelligence Court of Review resulting from the petition of an amicus curiae under section 103(i)(7); or

“(iii) a proceeding in which an amicus curiae could have been appointed pursuant to section 103(i)(2)(A).”.

(b) **APPLICATION OF REQUIREMENT.**—

(1) **IN GENERAL.**—Section 602 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1872), as amended by this section, shall apply with respect to each decision, order, or opinion issued by the Foreign Intelligence Surveillance Court or the Foreign Intelligence Surveillance Court of Review before, on, or after the date of enactment of that section.

(2) **PAST DECISIONS, ORDERS, AND OPINIONS.**—With respect to each decision, order, or opinion described in paragraph (1) that was issued before or on the date of enactment referred to in that paragraph, the Director of National Intelligence shall complete the declassification review and public release of the decision, order, or opinion pursuant to section 602 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1872) by not later than 1 year after the date of enactment of this Act.

**SEC. 1085. DISCLOSURE OF RELEVANT INFORMATION; CERTIFICATION REGARDING ACCURACY PROCEDURES.**

(a) DISCLOSURE OF RELEVANT INFORMATION.—

(1) IN GENERAL.—The Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) is amended by adding at the end the following:

**“TITLE IX—DISCLOSURE OF RELEVANT INFORMATION****“SEC. 901. DISCLOSURE OF RELEVANT INFORMATION.**

“The Attorney General or any other Federal officer making an application for a court order under this Act shall provide the court with—

“(1) all information in the possession of the Government that is material to determining whether the application satisfies the applicable requirements under this Act, including any exculpatory information; and

“(2) all information in the possession of the Government that might reasonably—

“(A) call into question the accuracy of the application or the reasonableness of any assessment in the application conducted by the department or agency on whose behalf the application is made; or

“(B) otherwise raise doubts with respect to the findings that are required to be made under the applicable provision of this Act in order for the court order to be issued.”.

(2) TECHNICAL AMENDMENT.—The table of contents of the Foreign Intelligence Surveillance Act of 1978 is amended by adding at the end the following:

**“TITLE IX—DISCLOSURE OF RELEVANT INFORMATION**

“Sec. 901. Disclosure of relevant information.”.

(b) CERTIFICATION REGARDING ACCURACY PROCEDURES.—

(1) IN GENERAL.—Title IX of the Foreign Intelligence Surveillance Act of 1978, as added by subsection (a), is amended by adding at the end the following:

**“SEC. 902. CERTIFICATION REGARDING ACCURACY PROCEDURES.**

“(a) DEFINITION.—In this section, the term ‘accuracy procedures’ means specific procedures, adopted by the Attorney General, to ensure that an application for a court order under this Act, including any application for renewal of an existing order, is accurate and complete, including procedures that ensure, at a minimum, that—

“(1) the application reflects all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings;

“(2) the application reflects all material information that might reasonably call into question the reliability and reporting of any information from a confidential human source that is used in the application;

“(3) a complete file documenting each factual assertion in an application is maintained;

“(4) the applicant coordinates with the appropriate elements of the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), concerning any prior or existing relationship with the target of any surveillance, search, or other means of investigation, and discloses any such relationship in the application;

“(5) before any application targeting a United States person is made, the applicant Federal officer shall document that the officer has collected and reviewed for accuracy and completeness supporting documentation for each factual assertion in the application; and

“(6) the applicant Federal agency establish compliance and auditing mechanisms on an annual basis to assess the efficacy of the accuracy procedures that have been adopted and report such findings to the Attorney General.

“(b) STATEMENT AND CERTIFICATION OF ACCURACY PROCEDURES.—Any Federal officer making an application for a court order under this Act shall include with the application—

“(1) a description of the accuracy procedures employed by the officer or the officer’s designee; and

“(2) a certification that the officer or the officer’s designee has collected and reviewed for accuracy and completeness—

“(A) supporting documentation for each factual assertion contained in the application;

“(B) all information that might reasonably call into question the accuracy of the information or the reasonableness of any assessment in the application, or otherwise raises doubts about the requested findings; and

“(C) all material information that might reasonably call into question the reliability and reporting of any information from any confidential human source that is used in the application.

“(c) NECESSARY FINDING FOR COURT ORDERS.—A judge may not enter an order under this Act unless the judge finds, in addition to any other findings required under this Act, that the accuracy procedures described in the application for the order, as required under subsection (b)(1), are actually accuracy procedures as defined in this section.”.

(2) TECHNICAL AMENDMENT.—The table of contents of the Foreign Intelligence Surveillance Act of 1978, as amended by subsection (a), is amended by inserting after the item relating to section 901 the following:

“Sec. 902. Certification regarding accuracy procedures.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and shall apply with respect to applications under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.) that are made on or after, or are pending on, that date.

**SEC. 1086. ANNUAL REPORTING ON ACCURACY AND COMPLETENESS OF APPLICATIONS.**

Section 603 (50 U.S.C. 1873) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e) ANNUAL REPORT BY DOJ INSPECTOR GENERAL ON ACCURACY AND COMPLETENESS OF APPLICATIONS.—

“(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ‘appropriate committees of Congress’ means—

“(A) the Committee on the Judiciary and the Select Committee on Intelligence of the Senate; and

“(B) the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

“(2) REPORT.—In April of each year, the Inspector General of the Department of Justice shall submit to the appropriate committees of Congress and make public, subject to a declassification review, a report setting forth, with respect to the preceding calendar year, the following:

“(A) A summary of all accuracy or completeness reviews of applications submitted to the Foreign Intelligence Surveillance Court by the Federal Bureau of Investigation.

“(B) The total number of applications reviewed for accuracy or completeness.

“(C) The total number of material errors or omissions identified during such reviews.

“(D) The total number of nonmaterial errors or omissions identified during such reviews.

“(E) The total number of instances in which facts contained in an application were not supported by documentation that existed in the applicable file being reviewed at the time of the accuracy review.”.

**SA 5508.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117–1, Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”); which was ordered to lie on the table; as follows:

On page 1, line 3, strike “1” and insert “2”.

**SA 5509.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the resolution of ratification to Treaty Doc. 117–1, Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the “Montreal Protocol”), adopted at Kigali on October 15, 2016, by the Twenty-Eighth Meeting of the Parties to the Montreal Protocol (the “Kigali Amendment”); which was ordered to lie on the table; as follows:

On page 1, line 3, strike “2 days” and insert “3 days”.

**SA 5510.** Mr. SHELBY submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

**SEC. 1276. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.**

(a) ESTABLISHMENT AND OPERATION OF CENTER.—

(1) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by inserting after section 182 the following new section:

**“SEC. 182a. CENTER FOR EXCELLENCE IN ENVIRONMENTAL SECURITY.**

“(a) ESTABLISHMENT.—The Secretary of Defense may operate a Center for Excellence in Environmental Security (in this section referred to as the ‘Center’).

“(b) MISSIONS.—(1) The Center shall be used to provide and facilitate education, training, and research in civil-military operations, particularly operations that require international assistance and operations that require coordination between the Department of Defense and other agencies.

“(2) The Center shall be used to provide and facilitate education, training, inter-agency coordination, and research on the following additional matters:

“(A) Management of the consequences of environmental insecurity with respect to—

“(i) access to water, food, and energy;

“(ii) related health matters; and

“(iii) matters relating to when, how, and why environmental stresses to human safety, health, water, energy, and food will cascade to economic, social, political, or national security events.

“(B) Appropriate roles for the reserve components in response to environmental insecurity resulting from natural disasters.

“(C) Meeting requirements for information in connection with regional and global disasters, including the use of advanced communications technology as a virtual library.

“(3) The Center shall be granted access to the data, archives, talent and physical capability of all Federal agencies to enable the development of global environmental indicators.

“(4) The Center shall perform such other missions as the Secretary of Defense may specify.

“(c) JOINT OPERATION WITH EDUCATIONAL INSTITUTION AUTHORIZED.—The Secretary of Defense may enter into an agreement with appropriate officials of an institution of higher education to provide for operation of the Center. Any such agreement shall provide for the institution to furnish necessary administrative services for the Center, including administration and allocation of funds.

“(d) ACCEPTANCE OF DONATIONS.—

“(1) Except as provided in paragraph (2), the Secretary of Defense may accept, on behalf of the Center, donations to be used to defray the costs of the Center or to enhance the operation of the Center. Such donations may be accepted from any agency of the Federal Government, any State or local government, any foreign government, any foundation or other charitable organization (including any that is organized or operates under the laws of a foreign country), or any other private source in the United States or a foreign country.

“(2) The Secretary may not accept a donation under paragraph (1) if the acceptance of the donation would compromise or appear to compromise—

“(A) the ability of the Department of Defense, any employee of the Department, or members of the armed forces, to carry out any responsibility or duty of the Department in a fair and objective manner; or

“(B) the integrity of any program of the Department of Defense or of any person involved in such a program.

“(3) The Secretary shall prescribe written guidance setting forth the criteria to be used in determining whether or not the acceptance of a foreign donation would have a result described in paragraph (2).

“(4) Funds accepted by the Secretary under paragraph (1) as a donation on behalf of the Center shall be credited to appropriations available to the Department of Defense for the Center. Funds so credited shall be merged with the appropriations to which credited and shall be available for the Center for the same purposes and the same period as the appropriations with which merged.”.

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 182 the following new item:

“182a. Center for Excellence in Environmental Security”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Of the amount authorized to be appropriated for the Department of Defense for research and operation and maintenance, Defense-wide, the following shall be available for the operation of the Center for Excellence in Environmental Security established under section 182a of title 10, United States Code, as added by subsection (a):

(1) \$12,000,000 for fiscal year 2023.

(2) \$15,000,000 for fiscal year 2024.

(3) \$15,000,000 for fiscal year 2025.

**SA 5511.** Mr. CASSIDY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title \_\_\_\_\_, insert the following:

**SEC. \_\_\_\_\_. COLLECTION, VERIFICATION, AND DISCLOSURE OF INFORMATION BY ONLINE MARKETPLACES TO INFORM CONSUMERS.**

(a) COLLECTION AND VERIFICATION OF INFORMATION.—

(1) COLLECTION.—

(A) IN GENERAL.—An online marketplace shall require any high-volume third party seller on such online marketplace's platform to provide, not later than 10 days after qualifying as a high-volume third party seller on the platform, the following information to the online marketplace:

(i) BANK ACCOUNT.—

(I) IN GENERAL.—A bank account number, or, if such seller does not have a bank account, the name of the payee for payments issued by the online marketplace to such seller.

(II) PROVISION OF INFORMATION.—The bank account or payee information required under subclause (I) may be provided by the seller in the following ways:

(aa) To the online marketplace.

(bb) To a payment processor or other third party contracted by the online marketplace to maintain such information, provided that the online marketplace ensures that it can obtain such information within 3 business days from such payment processor or other third party.

(ii) CONTACT INFORMATION.—Contact information for such seller as follows:

(I) With respect to a high-volume third party seller that is an individual, the individual's name.

(II) With respect to a high-volume third party seller that is not an individual, one of the following forms of contact information:

(aa) A copy of a valid government-issued identification for an individual acting on behalf of such seller that includes the individual's name.

(bb) A copy of a valid government-issued record or tax document that includes the business name and physical address of such seller.

(iii) TAX ID.—A business tax identification number, or, if such seller does not have a business tax identification number, a taxpayer identification number.

(iv) WORKING EMAIL AND PHONE NUMBER.—A current working email address and phone number for such seller.

(B) NOTIFICATION OF CHANGE; ANNUAL CERTIFICATION.—An online marketplace shall—

(i) periodically, but not less than annually, notify any high-volume third party seller on such online marketplace's platform of the requirement to keep any information collected under subparagraph (A) current; and

(ii) require any high-volume third party seller on such online marketplace's platform to, not later than 10 days after receiving the

notice under clause (i), electronically certify that—

(I) the seller has provided any changes to such information to the online marketplace, if any such changes have occurred; or

(II) there have been no changes to such seller's information.

(C) SUSPENSION.—In the event that a high-volume third party seller does not provide the information or certification required under this paragraph, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide such information or certification not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until such seller provides such information or certification.

(2) VERIFICATION.—

(A) IN GENERAL.—An online marketplace shall—

(i) verify the information collected under paragraph (1)(A) not later than 10 days after such collection; and

(ii) verify any change to such information not later than 10 days after being notified of such change by a high-volume third party seller under paragraph (1)(B).

(B) PRESUMPTION OF VERIFICATION.—In the case of a high-volume third party seller that provides a copy of a valid government-issued tax document, any information contained in such document shall be presumed to be verified as of the date of issuance of such document.

(3) DATA USE LIMITATION.—Data collected solely to comply with the requirements of this section may not be used for any other purpose unless required by law.

(4) DATA SECURITY REQUIREMENT.—An online marketplace shall implement and maintain reasonable security procedures and practices, including administrative, physical, and technical safeguards that are appropriate to the nature of the data and the purposes for which the data will be used, to protect the data collected to comply with the requirements of this section from unauthorized use, disclosure, access, destruction, or modification.

(b) DISCLOSURE REQUIRED.—

(1) REQUIREMENT.—

(A) IN GENERAL.—An online marketplace shall—

(i) require any high-volume third party seller with an aggregate total of \$20,000 or more in annual gross revenues on such online marketplace, and that uses such online marketplace's platform, to provide the information described in subparagraph (B) to the online marketplace; and

(ii) disclose to consumers the information described in subparagraph (B) in a clear and conspicuous manner—

(I) on the product listing page (including via hyperlink); or

(II) in the order confirmation message or other document or communication made to the consumer after the purchase is finalized and in the consumer's account transaction history.

(B) INFORMATION DESCRIBED.—The information described in this subparagraph is the following:

(i) Subject to paragraph (2), the identity of the high-volume third party seller, including—

(I) the full name of the seller, which may include the seller name or seller's company name, or the name by which the seller or company operates on the online marketplace;

(II) the physical address of the seller; and

(III) contact information for the seller, to allow for the direct, unhindered communication with high-volume third party sellers by users of the online marketplace, including—

(aa) a current working phone number;

(bb) a current working email address; or

(cc) other means of direct electronic messaging (which may be provided to such seller by the online marketplace), provided that the requirements of this item shall not prevent an online marketplace from monitoring communications between high-volume third party sellers and users of the online marketplace for fraud, abuse, or spam.

(ii) Whether the high-volume third party seller used a different seller to supply the consumer product to the consumer upon purchase, and, upon the request of an authenticated purchaser, the information described in clause (i) relating to any such seller that supplied the consumer product to the purchaser, if such seller is different than the high-volume third party seller listed on the product listing prior to purchase.

(2) EXCEPTION.—

(A) IN GENERAL.—Subject to subparagraph (B), upon the request of a high-volume third party seller, an online marketplace may provide for partial disclosure of the identity information required under paragraph (1)(B)(i) in the following situations:

(i) If such seller certifies to the online marketplace that the seller does not have a business address and only has a residential street address, or has a combined business and residential address, the online marketplace may—

(I) disclose only the country and, if applicable, the State in which such seller resides; and

(II) inform consumers that there is no business address available for the seller and that consumer inquiries should be submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace.

(ii) If such seller certifies to the online marketplace that the seller is a business that has a physical address for product returns, the online marketplace may disclose the seller's physical address for product returns.

(iii) If such seller certifies to the online marketplace that the seller does not have a phone number other than a personal phone number, the online marketplace shall inform consumers that there is no phone number available for the seller and that consumer inquiries should be submitted to the seller's email address or other means of electronic messaging provided to such seller by the online marketplace.

(B) LIMITATION ON EXCEPTION.—If an online marketplace becomes aware that a high-volume third party seller has made a false representation to the online marketplace in order to justify the provision of a partial disclosure under subparagraph (A) or that a high-volume third party seller who has requested and received a provision for a partial disclosure under subparagraph (A) has not provided responsive answers within a reasonable time frame to consumer inquiries submitted to the seller by phone, email, or other means of electronic messaging provided to such seller by the online marketplace, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to respond not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller unless such seller consents to the disclosure of the identity information required under paragraph (1)(B)(i).

(3) REPORTING MECHANISM.—An online marketplace shall disclose to consumers in a clear and conspicuous manner on the product listing of any high-volume third party seller a reporting mechanism that allows for electronic and telephonic reporting of suspicious marketplace activity to the online marketplace.

(4) COMPLIANCE.—If a high-volume third party seller does not comply with the requirements to provide and disclose information under this subsection, the online marketplace shall, after providing the seller with written or electronic notice and an opportunity to provide or disclose such information not later than 10 days after the issuance of such notice, suspend any future sales activity of such seller until the seller complies with such requirements.

(C) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR AND DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) or (b) by an online marketplace shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Commission shall enforce subsections (a) and (b) in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates subsection (a) or (b) shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) REGULATIONS.—The Commission may promulgate regulations under section 553 of title 5, United States Code, with respect to the collection, verification, or disclosure of information under this section, provided that such regulations are limited to what is necessary to collect, verify, and disclose such information.

(4) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(D) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(1) IN GENERAL.—If the attorney general of a State has reason to believe that any online marketplace has violated or is violating this section or a regulation promulgated under this section that affects one or more residents of that State, the attorney general of the State may bring a civil action in any appropriate district court of the United States, to—

(A) enjoin further such violation by the defendant;

(B) enforce compliance with this section or such regulation;

(C) obtain civil penalties in the amount provided for under subsection (c);

(D) obtain other remedies permitted under State law; and

(E) obtain damages, restitution, or other compensation on behalf of residents of the State.

(2) NOTICE.—The attorney general of a State shall provide prior written notice of any action under paragraph (1) to the Commission and provide the Commission with a copy of the complaint in the action, except in any case in which such prior notice is not feasible, in which case the attorney general shall serve such notice immediately upon instituting such action.

(3) INTERVENTION BY THE COMMISSION.—Upon receiving notice under paragraph (2), the Commission shall have the right—

(A) to intervene in the action;

(B) upon so intervening, to be heard on all matters arising therein; and

(C) to file petitions for appeal.

(4) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission has instituted a civil action for violation of

this section or a regulation promulgated under this section, no State attorney general, or official or agency of a State, may bring a separate action under paragraph (1) during the pendency of that action against any defendant named in the complaint of the Commission for any violation of this section or a regulation promulgated under this section that is alleged in the complaint. A State attorney general, or official or agency of a State, may join a civil action for a violation of this section or regulation promulgated under this section filed by the Commission.

(5) RULE OF CONSTRUCTION.—For purposes of bringing a civil action under paragraph (1), nothing in this section shall be construed to prevent the chief law enforcement officer or official or agency of a State, from exercising the powers conferred on such chief law enforcement officer or official or agency of a State, by the laws of the State to conduct investigations, administer oaths or affirmations, or compel the attendance of witnesses or the production of documentary and other evidence.

(6) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so, except for any private person on behalf of the State attorney general, may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) SEVERABILITY.—If any provision of this section, or the application thereof to any person or circumstance, is held invalid, the remainder of this section and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

(f) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Trade Commission.

(2) CONSUMER PRODUCT.—The term “consumer product” has the meaning given such term in section 101 of the Magnuson-Moss Warranty—Federal Trade Commission Improvement Act (15 U.S.C. 2301) and section 700.1 of title 16, Code of Federal Regulations.

(3) HIGH-VOLUME THIRD PARTY SELLER.—

(A) IN GENERAL.—The term “high-volume third party seller” means a participant on an online marketplace's platform who is a third party seller and, in any continuous 12-month period during the previous 24 months, has entered into 200 or more discrete sales or transactions of new or unused consumer products and an aggregate total of \$5,000 or more in gross revenues.

(B) CLARIFICATION.—For purposes of calculating the number of discrete sales or transactions or the aggregate gross revenues under subparagraph (A), an online marketplace shall only be required to count sales or transactions made through the online marketplace and for which payment was processed by the online marketplace, either directly or through its payment processor.

(4) ONLINE MARKETPLACE.—The term “online marketplace” means any person or entity that operates a consumer-directed electronically based or accessed platform that—

(A) includes features that allow for, facilitate, or enable third party sellers to engage in the sale, purchase, payment, storage, shipping, or delivery of a consumer product in the United States;

(B) is used by one or more third party sellers for such purposes; and

(C) has a contractual or similar relationship with consumers governing their use of the platform to purchase consumer products.

(5) SELLER.—The term “seller” means a person who sells, offers to sell, or contracts to sell a consumer product through an online marketplace’s platform.

(6) THIRD PARTY SELLER.—

(A) IN GENERAL.—The term “third party seller” means any seller, independent of an online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace’s platform.

(B) EXCLUSIONS.—The term “third party seller” does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace’s platform; or

(ii) a business entity that has—

(I) made available to the general public the entity’s name, business address, and working contact information;

(II) an ongoing contractual relationship with the online marketplace to provide the online marketplace with the manufacture, distribution, wholesaling, or fulfillment of shipments of consumer products; and

(III) provided to the online marketplace identifying information, as described in subsection (a), that has been verified in accordance with that subsection.

(7) VERIFY.—The term “verify” means to confirm information provided to an online marketplace pursuant to this section, which may include the use of one or more methods that enable the online marketplace to reliably determine that any information and documents provided are valid, corresponding to the seller or an individual acting on the seller’s behalf, not misappropriated, and not falsified.

(g) RELATIONSHIP TO STATE LAWS.—No State or political subdivision of a State, or territory of the United States, may establish or continue in effect any law, regulation, rule, requirement, or standard that conflicts with the requirements of this section.

(h) EFFECTIVE DATE.—This section shall take effect 180 days after the date of the enactment of this section.

(i) SHORT TITLE.—This section may be cited as the “Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act” or the “INFORM Consumers Act”.

**SA 5512.** Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

**SEC. 144. SENSE OF CONGRESS REGARDING THE REFUELING MISSION OF THE RESERVE COMPONENTS OF THE AIR FORCE.**

It is the sense of Congress that—

(1) the refueling mission of the reserve components of the Air Force is essential to ensuring the national security of the United States and allies of the United States;

(2) that mission provides for aerial aircraft refueling essential to extending the range of aircraft, which is a critical capability when facing the current threats abroad; and

(3) the Air Force should ensure any plan to retire KC-135 aircraft includes equal replacement with KC-46A aircraft.

**SA 5513.** Mr. TOOMEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 1239. E-3 VISAS FOR IRISH NATIONALS.**

(a) IN GENERAL.—Section 101(a)(15)(E)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)(iii)) is amended by inserting “or, on a basis of reciprocity as determined by the Secretary of State, a national of Ireland,” after “Australia”.

(b) EMPLOYER REQUIREMENTS.—Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended—

(1) by redesignating the second subsection (t) (as added by section 1(b)(2)(B) of Public Law 108–449 (118 Stat. 3470)) as subsection (u); and

(2) by adding at the end of subsection (t)(1) (as added by section 402(b)(2) of Public Law 108–77 (117 Stat. 941)) the following:

“(E) In the case of an attestation filed with respect to a national of Ireland described in section 101(a)(15)(E)(iii), the employer is, and will remain during the period of authorized employment of such Irish national, a participant in good standing in the E-Verify program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).”.

(c) APPLICATION ALLOCATION.—Section 214(g)(11) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(11)) is amended to read as follows:

“(11)(A) The Secretary of State may approve initial applications submitted for aliens described in section 101(a)(15)(E)(iii) only as follows:

“(i) For applicants who are nationals of the Commonwealth of Australia, not more than 10,500 for a fiscal year.

“(ii) For applicants who are nationals of Ireland, not more than a number equal to the difference between 10,500 and the number of applications approved in the prior fiscal year for aliens who are nationals of the Commonwealth of Australia.

“(B) The approval of an application described under subparagraph (A)(ii) shall be deemed for numerical control purposes to have occurred on September 30 of the prior fiscal year.

“(C) The numerical limitation under subparagraph (A) shall only apply to principal aliens and not to the spouses or children of such aliens.”.

**SA 5514.** Mr. TOOMEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense ac-

tivities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

**SEC. 1239. ELIGIBILITY OF PORTUGUESE TRADERS AND INVESTORS FOR E-1 AND E-2 NONIMMIGRANT VISAS.**

(a) SHORT TITLES.—This Act may be cited as the “Advancing Mutual Interests and Growing Our Success Act” or the “AMIGOS Act”.

(b) NONIMMIGRANT TRADERS AND INVESTORS.—For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be a foreign state described in such section if the Government of Portugal provides similar non-immigrant status to nationals of the United States.

(c) MODIFICATION OF ELIGIBILITY CRITERIA FOR E VISAS.—Section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)) is amended—

(1) in the matter preceding clause (i)—

(A) by inserting “(or, in the case of an alien who acquired the relevant nationality through a financial investment and who has not previously been granted status under this subparagraph, the foreign state of which the alien is a national and in which the alien has been domiciled for a continuous period of not less than 3 years at any point before applying for a nonimmigrant visa under this subparagraph)” before “, and the spouse”; and

(B) by striking “him” and inserting “such alien”; and

(2) by striking “he” each place such term appears and inserting “the alien”.

**SA 5515.** Mr. BLUNT (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

**SEC. 875. PRODUCTION OF COMMERCIAL AMMUNITION AT ELIGIBLE FACILITIES.**

The Secretary of the Army shall permit a contractor for an eligible facility (as defined in section 7551 of title 10, United States Code) to produce ammunition for commercial sale if the contractor is able to meet Department of Defense ammunition requirements while producing commercial ammunition. The Secretary of the Army may not restrict the ability of such a contractor to produce ammunition for commercial sale unless such restriction is necessary to meet surge capacity and readiness requirements for the Department of Defense.

**SA 5516.** Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities



of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . STE. GENEVIEVE NATIONAL HISTORICAL PARK BOUNDARY REVISION.**

(a) MAP.—Section 7134(a)(3) of appendix B of the Consolidated Appropriations Act, 2018 (16 U.S.C. 410xxx(a)(3)), is amended by striking “numbered 571/149,942, and dated December 2018” and inserting “numbered 571/177,464, and dated September 2021”.

(b) AUTHORITY TO CORRECT ERRORS IN MAP.—Section 7134(d) of appendix B of the Consolidated Appropriations Act, 2018 (16 U.S.C. 410xxx(d)), is amended—

(1) by striking “The Map” and inserting the following:

“(1) IN GENERAL.—The Map”; and

(2) by adding at the end the following:

“(2) AUTHORITY TO CORRECT ERRORS.—The Secretary may correct any clerical or typographical errors in the Map.”

(c) VISITOR CENTER AND ADMINISTRATIVE FACILITIES.—Section 7134(e) of appendix B of the Consolidated Appropriations Act, 2018 (16 U.S.C. 410xxx(e)), is amended by adding at the end the following:

“(3) VISITOR CENTER.—The Secretary—

“(A) may acquire, by donation, the land (including any improvements to the land) owned by the city of Ste. Genevieve, Missouri, and used as the visitor center for the Historical Park, as generally depicted on the Map as ‘Proposed Boundary Addition’; and

“(B) on acquisition of the land described in subparagraph (A), shall revise the boundary of the Historical Park to include the acquired land.

“(4) ADMINISTRATIVE FACILITIES.—The Secretary of the Interior (referred to in this section as the ‘Secretary’) may acquire, by purchase from a willing seller or by donation, not more than 20 acres of land in the vicinity of the Historical Park for administrative facilities for the Historical Park.”

**SA 5517.** Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . WILSON'S CREEK NATIONAL BATTLEFIELD BOUNDARY MODIFICATION.**

Section 1(b) Public Law 86-434 (16 U.S.C. 430kk(b)) is amended—

(1) in paragraph (1)—

(A) in the second sentence, by striking “The map” and inserting the following:

“(C) AVAILABILITY OF MAPS.—The maps described in subparagraphs (A) and (B);”

(B) by striking “(1) The boundaries” and inserting the following:

“(1) ADDITIONAL LAND.—

“(A) IN GENERAL.—The boundaries”;

(C) by inserting after subparagraph (A) (as so designated) the following:

“(B) NEWTONIA BATTLEFIELD ADDITION.—The boundary of the Wilson's Creek National

Battlefield is revised to include the approximately 25 acres of land identified as ‘Proposed Addition’ on the map entitled ‘Wilson's Creek National Battlefield Proposed Boundary Modification’, numbered 410/177,379, and dated July 2022.”; and

(D) by adding at the end the following:

“(D) ERRORS.—The Secretary of the Interior may correct any clerical or typographical error in a map described in subparagraph (A) or (B).”; and

(2) in paragraph (2)—

(A) by striking “(2) The Secretary is authorized to acquire the lands referred to in paragraph (1)” and inserting the following:

“(2) METHOD OF ACQUISITION.—The Secretary of the Interior may acquire the land described in subparagraphs (A) and (B) of paragraph (1).”; and

(B) in the second sentence, by striking “park” and inserting “Wilson's Creek National Battlefield”.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. CARPER. Mr. President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

**COMMITTEE ON ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, 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 Tuesday, September 20, 2022, at 9 a.m., to conduct a hearing.

**SELECT COMMITTEE ON INTELLIGENCE**

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 2:30 p.m., to conduct a closed briefing.

**SUBCOMMITTEE ON COMPETITION POLICY, ANTITRUST, AND CONSUMER RIGHTS**

The Subcommittee on Competition Policy, Antitrust, and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 3 p.m., to conduct a hearing.

**SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT**

The Subcommittee on Housing, Transportation, and Community Development of the Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, September 20, 2022, at 2:30 p.m., to conduct a hearing.

**PERMANENT SUBCOMMITTEE ON INVESTIGATIONS**

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday,

September 20, 2022, at 2:30 p.m., to conduct a hearing.

**IMPROVING MEDICARE PATIENTS WITH RNHCI OPTIONS TO VACCINATE EASILY ACT**

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4899, introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 4899) to amend title XVIII of the Social Security Act to remedy election revocations relating to administration of COVID-19 vaccines.

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

Mr. DURBIN. I further ask that the bill be considered read a third time.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. DURBIN. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 4899) was passed as follows:

S. 4899

*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 “Improving Medicare Patients with RNHCI Options to Vaccinate Easily Act” or the “IMPROVE Act”.

**SEC. 2. REMEDYING ELECTION REVOCATIONS RELATING TO ADMINISTRATION OF COVID-19 VACCINES.**

(a) IN GENERAL.—Section 1821(b)(5)(A) of the Social Security Act (42 U.S.C. 1395i-5(b)(5)(A)) is amended—

(1) in clause (i), by striking “or” or at the end;

(2) in clause (ii), by striking the period at the end and inserting “, or”; and

(3) by adding at the end the following new clause:

“(iii) effective beginning on the date of the enactment of this clause, that is a COVID-19 vaccine and its administration described in section 1861(s)(10)(A).”

(b) SPECIAL RULES FOR COVID-19 VACCINES RELATING TO REVOCATION OF ELECTION.—Notwithstanding paragraphs (3) and (4) of section 1821(b) of the Social Security Act (42 U.S.C. 1395i-5(b)), in the case of an individual with a revocation of an election under such section prior to the date of enactment of this Act by reason of receiving a COVID-19 vaccine and its administration described in section 1861(s)(10)(A) of such Act (42 U.S.C. 1395x(s)(10)(A)), the following rules shall apply:

(1) Beginning on such date of enactment, such individual may make an election under such section, which shall take effect immediately upon its execution, if such individual would be eligible to make such an election if they had not received such COVID-19 vaccine and its administration.

(2) Such revoked election shall not be taken into account for purposes of determining the effective date for an election described in subparagraph (A) or (B) of such paragraph (4).

(c) MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “\$7,500,000,000” and inserting “\$7,493,000,000”.

Mr. DURBIN. I move that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

## SBIR AND STTR EXTENSION ACT OF 2022

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4900, which is at the desk.

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

The legislative clerk read as follows:

A bill (S. 4900) to reauthorize the SBIR and STTR programs and pilot programs, and for other purposes.

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

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

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

The bill (S. 4900) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 4900

*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 “SBIR and STTR Extension Act of 2022”.

### SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTRATION; ADMINISTRATOR.—The terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively.

(2) FEDERAL AGENCY; PHASE I; PHASE II; PHASE III; SBIR; STTR.—The terms “Federal agency”, “Phase I”, “Phase II”, “Phase III”, “SBIR”, and “STTR” have the meanings given those terms, respectively, in section 9(e) of the Small Business Act (15 U.S.C. 638(e)).

### SEC. 3. REAUTHORIZATION OF SBIR AND STTR PROGRAMS AND PILOT PROGRAMS.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by striking “2022” each place that term appears and inserting “2025”.

### SEC. 4. FOREIGN RISK MANAGEMENT.

(a) DEFINITIONS.—Section 9(e) of the Small Business Act (15 U.S.C. 638(e)) is amended—

(1) in paragraph (13)(B), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(15) the term ‘covered individual’ means an individual who—

“(A) contributes in a substantive, meaningful way to the scientific development or execution of a research and development project proposed to be carried out with a research and development award from a Federal research agency; and

“(B) is designated as a covered individual by the Federal research agency concerned;

“(16) the term ‘foreign affiliation’ means a funded or unfunded academic, professional,

or institutional appointment or position with a foreign government or government-owned entity, whether full-time, part-time, or voluntary (including adjunct, visiting, or honorary);

“(17) the term ‘foreign country of concern’ means the People’s Republic of China, the Democratic People’s Republic of Korea, the Russian Federation, the Islamic Republic of Iran, or any other country determined to be a country of concern by the Secretary of State;

“(18) the term ‘malign foreign talent recruitment program’ has the meaning given such term in section 10638 of the Research and Development, Competition, and Innovation Act (division B of Public Law 117–167); and

“(19) the term ‘federally funded award’ means a Phase I, Phase II (including a Phase II award under subsection (cc)), or Phase III SBIR or STTR award made using a funding agreement.”.

(b) DUE DILIGENCE PROGRAM TO ASSESS SECURITY RISKS.—

(1) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

“(vv) DUE DILIGENCE PROGRAM TO ASSESS SECURITY RISKS.—

“(1) ESTABLISHMENT.—The head of each Federal agency required to establish an SBIR or STTR program, in coordination with the Administrator, shall establish and implement a due diligence program to assess security risks presented by small business concerns seeking a federally funded award.

“(2) RISKS.—Each program established under paragraph (1) shall—

“(A) assess, using a risk-based approach as appropriate, the cybersecurity practices, patent analysis, employee analysis, and foreign ownership of a small business concern seeking an award, including the financial ties and obligations (which shall include surety, equity, and debt obligations) of the small business concern and employees of the small business concern to a foreign country, foreign person, or foreign entity; and

“(B) assess awards and proposals or applications, as applicable, using a risk-based approach as appropriate, including through the use of open-source analysis and analytical tools, for the nondisclosures of information required under (g)(13).

“(3) ADMINISTRATIVE COSTS.—

“(A) IN GENERAL.—In addition to the amount allocated under subsection (mm)(1), each Federal agency required to establish an SBIR program may allocate not more than 2 percent of the funds allocated to the SBIR program of the Federal agency for the cost of establishing the due diligence program required under this subsection.

“(B) REPORTING.—

“(i) IN GENERAL.—Not later than December 31 of the year in which this subparagraph is enacted, and not later than December 31 of each year thereafter, the head of a Federal agency that exercises the authority under subparagraph (A) shall submit to the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives, the Committee on Small Business and Entrepreneurship of the Senate, and the Administrator, for the covered year—

“(I) the total funds allowed to be allocated for the cost of establishing the due diligence program required under this subsection;

“(II) the total amount of funds obligated or expended under subparagraph (A); and

“(III) the due diligence activities carried out or to be carried out using amounts allocated under subparagraph (A).

“(ii) ANNUAL REPORT INCLUSION.—The Administrator shall include the information submitted by head of a Federal agency under

clause (i) in the next annual report submitted under subsection (b)(7) after the Administrator receives such information.

“(iii) COVERED YEAR.—In this subparagraph, the term ‘covered year’ means, with respect to the information required under clause (i), the year covered by the annual report submitted under subsection (b)(7) in which the Administrator is required to include such information by clause (ii).

“(C) TERMINATION DATE.—This paragraph shall terminate on September 30, 2025.”.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the head of a Federal agency required to establish an SBIR or STTR program shall implement a due diligence program under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638), as added by paragraph (1), at the Federal agency that, to the extent practicable, incorporates the applicable best practices disseminated under paragraph (3).

(B) PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”), shall not apply to the implementation of a due diligence program under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638), as added by paragraph (1).

(C) BRIEFING.—Not later than 30 days after the date of enactment of this Act, and on a recurring basis until implementation is complete, each Federal agency required to establish a due diligence program under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638), as added by paragraph (1), shall brief the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives on the implementation of the due diligence program.

(3) BEST PRACTICES.—Not later than 180 days after the date of enactment of this Act, the Administrator shall—

(A) in coordination with the Director of the Office of Science and Technology Policy and in consultation with the Committee on Foreign Investment in the United States, disseminate among Federal agencies required to establish an SBIR or STTR program best practices of those Federal agencies for due diligence programs required under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638), as added by paragraph (1); and

(B) in consultation with the Committee on Foreign Investment in the United States, provide to Federal agencies described in subparagraph (A) guidance on the business relationships required to be disclosed under paragraph (13)(G) of subsection (g) and paragraph (17)(G) of subsection (o) of section 9 of the Small Business Act (15 U.S.C. 638), as added by this Act.

(4) GAO STUDY.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 3 years, the Comptroller General of the United States shall conduct a study and submit to the Committee on Small Business and Entrepreneurship and the Committee on Armed Services of the Senate and the Committee on Small Business, the Committee on Armed Services, and the Committee on Science, Space, and Technology of the House of Representatives a report on the implementation and best practices of due diligence programs established under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638), as added by paragraph (1), across Federal agencies required to establish an SBIR or STTR program.

(5) RULE OF CONSTRUCTION.—Nothing in subsection (vv) of section 9 of the Small

Business Act (15 U.S.C. 638), as added by paragraph (1), shall be construed to—

(A) apply to any Federal agency with a due diligence program that applies to the SBIR or STTR programs required under subsection (vv) of section 9 of the Small Business Act (15 U.S.C. 638), as added by paragraph (1), in existence as of the date of enactment of this Act; or

(B) restrict any Federal agency from taking due diligence measures in addition to those required under such subsection (vv) at the Federal agency.

(C) DISCLOSURES REGARDING TIES TO PEOPLE'S REPUBLIC OF CHINA AND OTHER FOREIGN COUNTRIES.—

(1) SBIR.—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—

(A) in paragraph (11), by striking “and” at the end;

(B) in paragraph (12), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(13) require each small business concern submitting a proposal or application for a federally funded award to disclose in the proposal or application—

“(A) the identity of all owners and covered individuals of the small business concern who are a party to any foreign talent recruitment program of any foreign country of concern, including the People's Republic of China;

“(B) the existence of any joint venture or subsidiary of the small business concern that is based in, funded by, or has a foreign affiliation with any foreign country of concern, including the People's Republic of China;

“(C) any current or pending contractual or financial obligation or other agreement specific to a business arrangement, or joint venture-like arrangement with an enterprise owned by a foreign state or any foreign entity;

“(D) whether the small business concern is wholly owned in the People's Republic of China or another foreign country of concern;

“(E) the percentage, if any, of venture capital or institutional investment by an entity that has a general partner or individual holding a leadership role in such entity who has a foreign affiliation with any foreign country of concern, including the People's Republic of China;

“(F) any technology licensing or intellectual property sales to a foreign country of concern, including the People's Republic of China, during the 5-year period preceding submission of the proposal; and

“(G) any foreign business entity, offshore entity, or entity outside the United States related to the small business concern;

“(14) after reviewing the disclosures of a small business concern under paragraph (13), and if determined appropriate by the head of such Federal agency, request such small business concern to provide true copies of any contractual or financial obligation or other agreement specific to a business arrangement, or joint-venture like arrangement with an enterprise owned by a foreign state or any foreign entity in effect during the 5-year period preceding submission of the proposal with respect to which such small business concern made such disclosures.”

(2) STTR.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)) is amended—

(A) in paragraph (15), by striking “and” at the end;

(B) in paragraph (16), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(17) require each small business concern submitting a proposal or application for a federally funded award to disclose in the proposal or application—

“(A) the identity of all owners and covered individuals of the small business concern who are a party to any foreign talent recruitment program of any foreign country of concern, including the People's Republic of China;

“(B) the existence of any joint venture or subsidiary of the small business concern that is based in, funded by, or has a foreign affiliation with any foreign country of concern, including the People's Republic of China;

“(C) any current or pending contractual or financial obligation or other agreement specific to a business arrangement, or joint venture-like arrangement with an enterprise owned by a foreign state or any foreign entity;

“(D) whether the small business concern is wholly owned in the People's Republic of China or another foreign country;

“(E) the percentage, if any, of venture capital or institutional investment by an entity that has a general partner or individual holding a leadership role in such entity who has a foreign affiliation with any foreign country of concern, including the People's Republic of China;

“(F) any technology licensing or intellectual property sales to a foreign country of concern, including the People's Republic of China, during the 5-year period preceding submission of the proposal; and

“(G) any foreign business entity, offshore entity, or entity outside the United States related to the small business concern;

“(18) after reviewing the disclosures of a small business concern under paragraph (17), and if determined appropriate by the head of such Federal agency, request such small business concern to provide true copies of any contractual or financial obligation or other agreement specific to a business arrangement, or joint-venture like arrangement with an enterprise owned by a foreign state or any foreign entity in effect during the 5-year period preceding submission of the proposal with respect to which such small business concern made such disclosures.”

(d) DENIAL OF AWARDS.—

(1) SBIR.—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)), as amended by subsection (c)(1), is further amended by adding at the end the following:

“(15) not make an award under the SBIR program of the Federal agency to a small business concern if the head of the Federal agency determines that—

“(A) the small business concern submitting the proposal or application—

“(i) has an owner or covered individual that is party to a malign foreign talent recruitment program;

“(ii) has a business entity, parent company, or subsidiary located in the People's Republic of China or another foreign country of concern; or

“(iii) has an owner or covered individual that has a foreign affiliation with a research institution located in the People's Republic of China or another foreign country of concern; and

“(B) the relationships and commitments described in clauses (i) through (iii) of subparagraph (A)—

“(i) interfere with the capacity for activities supported by the Federal agency to be carried out;

“(ii) create duplication with activities supported by the Federal agency;

“(iii) present concerns about conflicts of interest;

“(iv) were not appropriately disclosed to the Federal agency;

“(v) violate Federal law or terms and conditions of the Federal agency; or

“(vi) pose a risk to national security.”

(2) STTR.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)), as amended by

subsection (c)(2), is further amended by adding at the end the following:

“(19) not make an award under the STTR program of the Federal agency to a small business concern if the head of the Federal agency determines that—

“(A) the small business concern submitting the proposal or application—

“(i) has an owner or covered individual that is party to a malign foreign talent recruitment program;

“(ii) has a business entity, parent company, or subsidiary located in the People's Republic of China or another foreign country of concern; or

“(iii) has an owner or covered individual that has a foreign affiliation with a research institution located in the People's Republic of China or another foreign country of concern; and

“(B) the relationships and commitments described in clauses (i) through (iii) of subparagraph (A)—

“(i) interfere with the capacity for activities supported by the Federal agency to be carried out;

“(ii) create duplication with activities supported by the Federal agency;

“(iii) present concerns about conflicts of interest;

“(iv) were not appropriately disclosed to the Federal agency;

“(v) violate Federal law or terms and conditions of the Federal agency; or

“(vi) pose a risk to national security.”

#### SEC. 5. AGENCY RECOVERY AUTHORITY AND ONGOING REPORTING.

(a) SBIR.—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)), as amended by section 4(d)(1), is further amended by adding at the end the following:

“(16) require a small business concern receiving an award under its SBIR program to repay all amounts received from the Federal agency under the award if—

“(A) the small business concern makes a material misstatement that the Federal agency determines poses a risk to national security; or

“(B) there is a change in ownership, change to entity structure, or other substantial change in circumstances of the small business concern that the Federal agency determines poses a risk to national security; and

“(17) require a small business concern receiving an award under its SBIR program to regularly report to the Federal agency and the Administration throughout the duration of the award on—

“(A) any change to a disclosure required under subparagraphs (A) through (G) of paragraph (13);

“(B) any material misstatement made under paragraph (16)(A); and

“(C) any change described in paragraph (16)(B).”

(b) STTR.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)), as amended by section 4(d)(1), is further amended by adding at the end the following:

“(20) require a small business concern receiving an award under its STTR program to repay all amounts received from the Federal agency under the award if—

“(A) the small business concern makes a material misstatement that the Federal agency determines poses a risk to national security; or

“(B) there is a change in ownership, change to entity structure, or other substantial change in circumstances of the small business concern that the Federal agency determines poses a risk to national security; and

“(21) require a small business concern receiving an award under its STTR program to regularly report to the Federal agency and the Administration throughout the duration of the award on—

“(A) any change to a disclosure required under subparagraphs (A) through (G) of paragraph (17);

“(B) any material misstatement made under paragraph (20)(A); and

“(C) any change described in paragraph (20)(B).”.

(c) **PAPERWORK REDUCTION ACT.**—Chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”), shall not apply to the implementation of paragraphs (16) and (17) of subsection (g) or paragraphs (20) and (21) of subsection (o) of section 9 of the Small Business Act (15 U.S.C. 638), as added by subsections (a) and (b).

#### **SEC. 6. REPORT ON ADVERSARIAL MILITARY AND FOREIGN INFLUENCE IN THE SBIR AND STTR PROGRAMS.**

(a) **COVERED AGENCY DEFINED.**—In this section, the term “covered agency” means—

- (1) the Department of Defense;
- (2) the Department of Energy;
- (3) the Department of Health and Human Services; or
- (4) the National Science Foundation.

(b) **REQUIREMENT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), not later than 180 days after the date of enactment of this Act, the head of each covered agency shall submit a report assessing the adversarial military and foreign influences in the SBIR and STTR programs at the covered agency to—

(A) the Committee on Armed Services, the Committee on Small Business and Entrepreneurship, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Small Business, and the Committee on Science, Space, and Technology of the House of Representatives.

(2) **DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—The Secretary of Health and Human Services shall submit 2 reports under paragraph (1)—

(A) 1 assessing the adversarial military and foreign influences in the SBIR and STTR programs of the National Institutes of Health; and

(B) 1 assessing the adversarial military and foreign influences in the SBIR and STTR programs of the Department of Health and Human Services other than those of the National Institutes of Health.

(c) **CONTENTS.**—Each report submitted by a covered agency under subsection (b) shall include an analysis of—

(1) the national security and research and integrity risks of the SBIR and STTR programs of the covered agency; and

(2) the capability of such covered agency to identify and mitigate such risks.

(d) **FORM.**—Each report submitted under subsection (b) shall be in unclassified form, but may include a classified annex.

(e) **INDEPENDENT ENTITY CONTRACTING.**—The head of each covered agency, in coordination with the heads of other Federal agencies, as appropriate, may enter into a contract with an independent entity to prepare a report required under subsection (b).

#### **SEC. 7. PROGRAM ON INNOVATION OPEN TOPICS.**

(a) **IN GENERAL.**—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is further amended—

(1) in subsection (b)(7)—

(A) in subparagraph (G), by striking “and” at the end; and

(B) by adding at the end the following:

“(I) the number of applications submitted to each Federal agency participating in the SBIR or STTR program in innovation open topics as compared to conventional topics, and how many small business concerns receive funding from open topics compared to conventional topics;

“(J) the total number and dollar amount, and average size, of awards made by each Federal agency participating in the SBIR or STTR program, by phase, from—

“(i) open topics; and

“(ii) conventional topics;”; and

(2) by adding at the end the following:

“(ww) **PROGRAM ON INNOVATION OPEN TOPICS.**—

“(1) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this subsection, the Secretary of Defense shall establish innovation open topic activities using the SBIR and STTR programs of the Department of Defense in order to—

(A) increase the transition of commercial technology to the Department of Defense;

(B) expand the small business nontraditional industrial base;

(C) increase commercialization derived from investments of the Department of Defense; and

(D) expand the ability for qualifying small business concerns to propose technology solutions to meet the needs of the Department of Defense.

“(2) **FREQUENCY.**—The Secretary of Defense shall conduct not less than 1 open topic announcement at each component of the Department of Defense per fiscal year.

“(3) **BRIEFING.**—Not later than 180 days after the date of enactment of this subsection, the Secretary of Defense shall provide a briefing on the establishment of the program required under paragraph (1) to—

(A) the Committee on Armed Services and the Committee on Small Business and Entrepreneurship of the Senate; and

(B) the Committee on Small Business, the Committee on Armed Services, and the Committee on Science, Space, and Technology of the House of Representatives.”.

(b) **GAO REPORT.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 3 years, the Comptroller General of the United States shall submit to Congress and issue a publicly available report comparing open topics and conventional topics under the SBIR and STTR programs that includes, to the extent practicable—

(1) an assessment of the percentage of small business concerns that progress from Phase I to Phase II awards, then to Phase III awards;

(2) the number of awards under the SBIR and STTR programs made to first-time applicants and first-time awardees;

(3) the number of awards under the SBIR and STTR programs made to non-traditional small business concerns, including those owned by women, minorities, and veterans;

(4) a description of outreach and assistance efforts by the Department of Defense to encourage and prepare new and diverse small business concerns to participate in the program established under subsection (ww) of section 9 of the Small Business Act (15 U.S.C. 638), as added by subsection (a);

(5) the length of time to review and disburse awards under such subsection (ww), evaluated in a manner enabling normalized comparisons of such times taken by each Federal agency that is required to establish an SBIR or STTR program and offers open topics;

(6) the ratio, and an assessment, of the amount of funding allocated towards open topics as compared to conventional topics at each Federal agency that is required to establish an SBIR or STTR program and offers open topics; and

(7) a comparison of the types of technology and end users funded under open topics compared to the types of technology and end users funded under conventional topics.

#### **SEC. 8. INCREASED MINIMUM PERFORMANCE STANDARDS FOR EXPERIENCED FIRMS.**

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is further amended—

(1) in subsection (b)(7), by adding at the end the following:

“(K) the minimum performance standards established under subsection (qq), including any applicable modifications under paragraph (3) of such subsection, and the number of small business concerns that did not meet those minimum performance standards, provided that the Administrator does not publish any personally identifiable information, the identity of each such small business concern, or any otherwise sensitive information; and

“(L) the aggregate number and dollar amount of SBIR and STTR awards made pursuant to waivers under subsection (qq)(3)(E), provided that the Administrator does not publish any personally identifiable information, the identity of each such small business concern, or any otherwise sensitive information;”; and

(2) in subsection (qq)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(B) by inserting after paragraph (2) the following:

“(3) **INCREASED MINIMUM PERFORMANCE STANDARDS FOR EXPERIENCED FIRMS.**—

“(A) **PROGRESS TO PHASE II SUCCESS.**—

“(i) **IN GENERAL.**—With respect to a small business concern that received or receives more than 50 Phase I awards during a covered period, each minimum performance standard established under paragraph (1)(A)(ii) shall be doubled for such covered period.

“(ii) **CONSEQUENCE OF FAILURE TO MEET STANDARD.**—If the head of a Federal agency determines that a small business concern that received a Phase I award from the Federal agency is not meeting an applicable increased minimum performance standard modified under clause (i), the small business concern may not receive more than 20 total Phase I awards and Phase II awards under subsection (cc) from each Federal agency during the 1-year period beginning on the date on which such determination is made.

“(iii) **COVERED PERIOD DEFINED.**—In this subparagraph, the term ‘covered period’ means a consecutive period of 5 fiscal years preceding the most recent fiscal year.

“(B) **PROGRESS TO PHASE III SUCCESS.**—

“(i) **IN GENERAL.**—Each minimum performance standard established under paragraph (2)(A)(ii) shall—

“(I) with respect to a small business concern that received or receives more than 50 Phase II awards during a covered period, require an average of \$250,000 of aggregate sales and investments per Phase II award received during such covered period; and

“(II) with respect to a small business concern that received or receives more than 100 Phase II awards during a covered period, require an average of \$450,000 of aggregate sales and investments per Phase II award received during such covered period.

“(ii) **CONSEQUENCE OF FAILURE TO MEET STANDARD.**—If the head of a Federal agency determines that a small business concern that received a Phase I award from the agency is not meeting an applicable increased minimum performance standard modified under clause (i), the small business concern may not receive more than 20 total Phase I awards and Phase II awards under subsection (cc) from each agency during the 1-year period beginning on the date on which such determination is made.

“(iii) **DOCUMENTATION.**—

“(I) IN GENERAL.—A small business concern that is subject to an increased minimum performance standard described in clause (i) shall submit to the Administrator supporting documentation evidencing that all covered sales of the small business concern were properly used to meet the increased minimum performance standard.

“(II) COVERED SALE DEFINED.—In this clause, the term ‘covered sale’ means a sale by a small business concern—

“(aa) that the small business concern claims to be attributable to an SBIR or STTR award;

“(bb) for which no amount of the payment was or is made using Federal funds;

“(cc) which the small business concern uses to meet an applicable increased minimum performance standard under clause (i); and

“(dd) that was or is received during the 5 fiscal years immediately preceding the fiscal year in which the small business concern uses the sale to meet the increased minimum performance standard.

“(iv) COVERED PERIOD DEFINED.—In this subparagraph, the term ‘covered period’ means a consecutive period of 10 fiscal years preceding the most recent 2 fiscal years.

“(C) PATENTS FOR INCREASED MINIMUM PERFORMANCE STANDARDS.—A small business concern with respect to which an increased minimum performance standard under subparagraph (B) applies may not meet the increased minimum performance standard by obtaining patents.

“(D) EFFECTIVE DATE.—Subparagraphs (A) through (C) shall take effect on April 1, 2023.

“(E) WAIVER.—

“(i) IN GENERAL.—The Administrator may, upon the request of a senior official of a Federal agency, grant a waiver with respect to a topic for the SBIR or STTR program of the Federal agency if—

“(I) the topic is critical to the mission of the Federal agency or relates to national security; and

“(II) the official submits to the Administrator a request for the waiver in accordance with clause (iii).

“(ii) WAIVER EFFECTS.—If the Administration grants a waiver with respect to a topic for the SBIR or STTR program of a Federal agency, subparagraphs (A)(ii) and (B)(ii) shall not prohibit any covered small business concern from receiving an SBIR or STTR award under such topic.

“(iii) AGENCY REQUEST AND CONGRESSIONAL NOTIFICATION.—Not later than 15 days before the release of a solicitation including a topic for which a senior official of a Federal agency is requesting a waiver under clause (i), the senior official shall submit to the Administrator, the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Small Business and Entrepreneurship of the Senate a request for the waiver.

“(iv) ADMINISTRATOR DETERMINATION AND CONGRESSIONAL NOTIFICATION.—Not later than 15 days after receiving a request for a waiver under clause (i), the Administrator shall make a determination with respect to the request and notify the senior official at the Federal agency that made the request, the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Small Business and Entrepreneurship of the Senate of the determination.

“(v) DEFINITIONS.—In this subparagraph:

“(I) COVERED SMALL BUSINESS CONCERN.—The term ‘covered small business concern’ means a small business concern that is subject to the consequences under subparagraph (A)(ii) or (B)(ii) pursuant to a determination by the head of a Federal agency that such

small business concern did not meet an increased minimum performance standard that was applicable to such small business concern.

“(II) SENIOR OFFICIAL.—The term ‘senior official’ means an individual appointed to a position in a Federal agency that is classified above GS-15 pursuant to section 5108 of title 5, United States Code, or any equivalent position, as determined by the Administrator.

“(F) REPORTING.—

“(i) IN GENERAL.—Not later than July 1, 2023, and annually thereafter, the Administrator shall submit to Congress a list of the small business concerns that did not meet—

“(I) an applicable minimum performance standard established under paragraph (1)(A)(ii) or (2)(A)(ii); or

“(II) an applicable increased minimum performance standard.

“(ii) WAIVERS.—Each list submitted under clause (i) shall identify each small business concern that received an SBIR or STTR award pursuant to a waiver granted under subparagraph (E) by the Administrator during the period covered by the list.

“(iii) CONFIDENTIALITY.—Each list submitted under clause (i) shall be confidential and exempt from disclosure under section 552(b)(3) of title 5, United States Code (commonly known as the ‘Freedom of Information Act’).

“(G) IMPLEMENTATION.—Not later than April 1, 2023, the Administration shall implement the increased minimum performance standards under this paragraph.

“(H) RULES OF CONSTRUCTION.—Nothing in this paragraph shall be construed—

“(i) to prohibit a small business concern from participating in a Phase I (or Phase II if under the authority of subsection (cc)) of an SBIR or STTR program under paragraph (1)(B) or (2)(B) solely on the basis of a determination by the head of a Federal agency that the small business concern is not meeting an increased minimum performance standard; or

“(ii) to prevent the head of a Federal agency from implementing more restrictive limitations on the number of federally funded Phase I awards and direct to Phase II awards under subsection (cc) that may be awarded to a small business concern than the limitations described in subparagraphs (A)(ii) and (B)(ii).

“(I) TERMINATION.—This paragraph shall terminate on September 30, 2025.”;

(C) in paragraph (5), as so redesignated, by striking “paragraph (3)(A)” and inserting “paragraph (4)(A)”; and

(D) by adding at the end the following:

“(6) INSPECTOR GENERAL AUDIT.—Not later than 1 year after the date on which the Administrator implements the increased minimum performance standards under paragraph (3), and periodically thereafter, the Inspector General of the Administration shall—

“(A) conduct an audit on whether the small business concerns subject to increased minimum performance standards under paragraph (3)(B) verified—

“(i) the sales by and investments in the small business concerns—

“(I) during the 5 fiscal years immediately preceding the fiscal year in which the small business concern used such sales and investments to meet an applicable increased performance standard; and

“(II) as a direct result of a Phase I award or Phase II award made under subsection (cc) during the covered period (as defined in paragraph (3)(B)(iv)), consistent with the definition of Phase III, as applicable;

“(ii) any third-party revenue the small business concerns list as investments or in-

comes to meet the increased minimum performance standard—

“(I) is a direct result of a Phase I award or Phase II award made under subsection (cc) during the covered period (as defined in paragraph (3)(B)(iv)); and

“(II) consistent with the requirements of the Administrator as in effect on September 30, 2022, or any successor requirements; and

“(iii) any dollar amounts such small business concerns list as investments or income to meet such increased minimum performance standard the providence of which is unclear and that is not directly attributable to a Phase I award or Phase II award made under subsection (cc) during the covered period (as defined in paragraph (3)(B)(iv)), consistent with the definition of Phase III, as applicable;

“(B) assess the self-certification requirements for the minimum performance standards established under paragraph (2)(A)(ii) and the increased minimum performance standards under paragraph (3)(B); and

“(C) submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives a report on the audit conducted under subparagraph (A) and the assessment conducted under subparagraph (B).

“(7) INCREASED MINIMUM PERFORMANCE STANDARD DEFINED.—In this subsection, the term ‘increased minimum performance standard’ means a minimum performance standard established under paragraph (1)(A)(ii) or (2)(A)(ii) as modified under subparagraph (A) or (B), respectively, of paragraph (3) with respect to a small business concern.”.

#### SEC. 9. PROHIBITION AGAINST WRITING SOLICITATION TOPICS.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is further amended by adding at the end the following subsection:

“(xx) ADDITIONAL PROVISIONS RELATING TO SOLICITATION TOPICS.—

“(1) IN GENERAL.—A Federal agency required to establish an SBIR or STTR program shall implement a multi-level review and approval process within the Federal agency for solicitation topics to ensure adequate competition and that no private individual or entity is shaping the requirements for eligibility for the solicitation topic after the selection of the solicitation topic, except that the Federal agency may amend the requirements to clarify the solicitation topic.

“(2) REFERRAL.—A Federal agency that does not comply with paragraph (1) shall be referred to the Inspector General of the Administration for further investigation.”.

#### SEC. 10. GAO STUDY ON MULTIPLE AWARD WINNERS.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives a report, which shall be made publicly available, on small business concerns that are awarded not less than 50 Phase II awards under the SBIR or STTR programs during the consecutive period of 10 fiscal years preceding the most recent 2 fiscal years, including, to the extent practicable, an analysis of—

(1) the impact of the small business concerns on the SBIR and STTR programs;

(2) the ratio of the number of Phase II awards received by the small business concerns to the total number of Phase II awards;

(3) the ability of the small business concerns to commercialize and meet the tenets of the SBIR and STTR programs;

(4) the impact on new entrants and seeding technology necessary to the Federal agency mission or commercial markets and, with respect to the Department of Defense, whether the types of technology the small business concerns are pursuing are primarily hardware, software, or system components for the warfighter;

(5) an evaluation and study of varying levels of award caps and lifetime program earning caps;

(6) an assessment of the increased minimum performance standards under paragraph (3) of section 9(qq) of the Small Business Act (15 U.S.C. 638(qq)), as added by section 8, on the behavior of those concerns and on the SBIR and STTR programs, and whether to continue such increased minimum performance standards; and

(7) recommendations on whether alternative minimum performance standards under section 9(qq) of the Small Business Act (15 U.S.C. 638(qq)) should be considered, and the extent to which such alternative minimum performance standards preserve the competitive, merit-based foundation of the SBIR and STTR programs.

#### SEC. 11. GAO REPORT ON SUBCONTRACTING IN SBIR AND STTR PROGRAMS.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives a report evaluating, to the extent practicable, the following:

(1) The extent to which SBIR awardees and STTR awardees are in compliance with the Federal Funding Accountability and Transparency Act (31 U.S.C. 6101 note).

(2) The extent to which SBIR awardees and STTR awardees enter into subcontracting agreements with respect to an SBIR or STTR award.

(3) The total number and dollar amount of subcontracts entered into between an SBIR awardee or an STTR awardee and a concern that is not a small business concern (including such concerns that are defense contractors) with respect to an SBIR or STTR award.

(4) A description of the type and purpose of subcontracting agreements described in paragraph (2).

(5) An analysis of whether the use of subcontracts by an SBIR awardee or an STTR awardee is consistent with the purposes of section 9 of the Small Business Act (15 U.S.C. 638).

#### THE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following bills en bloc: Calendar No. 327, S. 3884; Calendar No. 331, H.R. 3539; Calendar No. 335, H.R. 5577; Calendar No. 398, H.R. 2142; Calendar No. 469, H.R. 91; Calendar No. 470, H.R. 92; Calendar No. 472, H.R. 3508; and Calendar No. 474, H.R. 5809.

There being no objection, the Senate proceeded to consider the bills, en bloc.

Mr. DURBIN. I ask unanimous consent that the bills, en bloc, be considered read a third time and passed and that the motions to reconsider be considered made and laid upon table, all en bloc.

PRESIDING OFFICER. Without objection, it is so ordered.

The bills were considered and passed, en bloc, as follows:

#### CORA REYNOLDS ANDERSON POST OFFICE

A bill (S. 3884) to designate the facility of the United States Postal Service located at 404 U.S. Highway 41 North in Baraga, Michigan, as the "Cora Reynolds Anderson Post Office", was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3884

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

#### SECTION 1. CORA REYNOLDS ANDERSON POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 404 U.S. Highway 41 North in Baraga, Michigan, shall be known and designated as the "Cora Reynolds Anderson Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Cora Reynolds Anderson Post Office".

#### ATANASIO TAITANO PEREZ POST OFFICE

A bill (H.R. 3539) to designate the facility of the United States Postal Service located at 223 West Chalan Santo Papa in Hagatna, Guam, as the "Atanasio Taitano Perez Post Office", was ordered to a third reading, was read the third time, and passed.

#### JOHN R. LEWIS POST OFFICE BUILDING

A bill (H.R. 5577) to designate the facility of the United States Postal Service located at 3900 Crown Road Southwest in Atlanta, Georgia, as the "John R. Lewis Post Office Building", was ordered to a third reading, was read the third time, and passed.

#### INDIANA HUNT-MARTIN POST OFFICE BUILDING

A bill (H.R. 2142) to designate the facility of the United States Postal Service located at 170 Manhattan Avenue in Buffalo, New York, as the "Indiana Hunt-Martin Post Office Building", was ordered to a third reading, was read the third time, and passed.

#### PRIVATE FIRST CLASS BARRETT LYLE AUSTIN POST OFFICE BUILDING

A bill (H.R. 91) to designate the facility of the United States Postal Service located at 810 South Pendleton Street in Easley, South Carolina, as the "Private First Class Barrett Lyle Austin Post Office Building", was ordered to a third reading, was read the third time, and passed.

#### SPECIALIST FOUR CHARLES JOHNSON POST OFFICE

A bill (H.R. 92) to designate the facility of the United States Postal Service located at 110 Johnson Street in Pickens, South Carolina, as the "Specialist Four Charles Johnson Post Office", was ordered to a third reading, was read the third time, and passed.

#### CW4 CHRISTIAN J. KOCH MEMORIAL POST OFFICE

A bill (H.R. 3508) to designate the facility of the United States Postal Service located at 39 West Main Street, in Honeoye Falls, New York, as the "CW4 Christian J. Koch Memorial Post Office", was ordered to a third reading, was read the third time, and passed.

#### LANCE CORPORAL KAREEM NIKOUI MEMORIAL POST OFFICE BUILDING

A bill (H.R. 5809) to designate the facility of the United States Postal Service located at 1801 Town and Country Drive in Norco, California, as the "Lance Corporal Kareem Nikoui Memorial Post Office Building", was ordered to a third reading, was read the third time, and passed.

#### GLOBAL MALNUTRITION PREVENTION AND TREATMENT ACT OF 2021

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 453, H.R. 4693.

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

The legislative clerk read as follows:

A bill (H.R. 4693) to advance targeted and evidence-based interventions for the prevention and treatment of global malnutrition and to improve the coordination of such programs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations.

Mr. DURBIN. I further ask that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. DURBIN. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 4693) was passed.

Mr. DURBIN. Mr. President, I ask that the motion to reconsider be considered made and laid upon table with no intervening action or debate.

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

#### SMALL PROJECT EFFICIENT AND EFFECTIVE DISASTER RECOVERY ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate



proceed to the immediate consideration of Calendar No. 483, H.R. 5641.

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

The legislative clerk read as follows:

A bill (H.R. 5641) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to increase the threshold for eligibility for assistance under sections 403, 406, 407, and 502 of such Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

H.R. 5641

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Small Project Efficient and Effective Disaster Recovery Act” or the “SPEED Recovery Act”.

#### SEC. 2. SIMPLIFIED PROCEDURE.

(a) IN GENERAL.—Section 422 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189) is amended—

(1) in subsection (a), by striking “\$35,000” each place it appears and inserting “\$1,000,000”; and

(2) in subsection (b)(3)—

(A) in the heading, by inserting [“AND REPORT” after “REVIEW”] “AND REPORT” after “REVIEW”; and

(B) by inserting “and submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report regarding such review, including any recommendations developed pursuant to such review” after “under this section”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to any amounts appropriated after the date of enactment of this Act.

#### SEC. 3. AUDIT AND REVIEW.

*Not later than 3 years after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall conduct an audit, and submit to Congress a report, on whether there has been waste and abuse as a result of the amendment made under section 2(a)(1).*

Mr. DURBIN. I further ask that the committee-reported amendments be agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 5641), as amended, was passed.

#### EXTENSION OF DEPARTMENT OF HOMELAND SECURITY OTHER TRANSACTION AUTHORITY ACT OF 2022

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of Calendar No. 489, S. 4553.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4553) to extend other transaction authority for the Department of Homeland Security.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs.

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

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

The bill (S. 4553) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4553

*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 “Extension of Department of Homeland Security Other Transaction Authority Act of 2022”.

#### SEC. 2. DEPARTMENT OF HOMELAND SECURITY OTHER TRANSACTION AUTHORITY.

Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “September 30, 2017” and inserting “September 30, 2024”; and

(B) by amending paragraph (2) to read as follows:

“(2) PROTOTYPE PROJECTS.—The Secretary—

“(A) may, under the authority of paragraph (1), carry out prototype projects under section 4022 of title 10, United States Code; and

“(B) in applying the authorities of such section 4022, the Secretary shall perform the functions of the Secretary of Defense as prescribed in such section.”;

(2) in subsection (c)(1), by striking “September 30, 2017” and inserting “September 30, 2024”; and

(3) in subsection (d), by striking “section 845(e)” and all that follows through the period at the end and inserting “section 4022(e) of title 10, United States Code.”.

#### EXTENSION OF AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL ITEMS ACT OF 2022

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 4552 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 4552) to extend the program for authority to acquire innovative commercial items using general solicitation procedures.

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

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

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

The bill (S. 4552) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4552

*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 “Extension of Authority to Acquire Innovative Commercial Items Act of 2022”.

#### SEC. 2. INNOVATIVE COMMERCIAL ITEMS.

Section 880 of the National Defense Authorization Act for Fiscal Year 2017 (41 U.S.C. 3301 note) is amended—

(1) in subsection (c), by striking “\$10,000,000” and inserting “\$25,000,000”; and

(2) by amending subsection (f) to read as follows:

“(f) DEFINITIONS.—In this section—

“(1) the term ‘commercial product’—

“(A) has the meaning given the term ‘commercial item’ in section 2.101 of the Federal Acquisition Regulation; and

“(B) includes a commercial product or a commercial service, as those terms are defined in sections 103 and 103a, respectively, of this title; and

“(2) the term ‘innovative’ means—

“(A) any new technology, process, or method, including research and development; or

“(B) any new application of an existing technology, process, or method.”; and

(3) in subsection (g), by striking “2022” and inserting “2027”.

#### NATIONAL PROSTATE CANCER AWARENESS MONTH

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 776, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 776) designating September 2022 as “National Prostate Cancer Awareness Month.”

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

Mr. DURBIN. I know of no further debate on the resolution.

The PRESIDING OFFICER. If there is no further debate, the question is on adoption of the resolution.

The resolution (S. Res. 776) was agreed to.

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

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

The preamble was agreed to.

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

(Mr. PETERS assumed the Chair.)

## RESOLUTIONS SUBMITTED TODAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions introduced earlier today: S. Res. 777; S. Res. 778; S. Res. 779; S. Res. 780; S. Res. 781; S. Res. 782; and S. Res. 783.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 784, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 784) designating the week beginning on September 12, 2022, as

"National Hispanic-Serving Institutions Week".

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

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

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

The resolution (S. Res. 784) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR WEDNESDAY, SEPTEMBER 21, 2022

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, September 21; that 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 upon the conclusion of morning business, the Senate proceed to executive session and resume consideration of Treaty Docu-

ment No. 117-1, postcloture; further, that all time during adjournment, recess, morning business, and leader remarks count postcloture on the treaty.

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

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

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

There being no objection, the Senate, at 5:59 p.m., adjourned until Wednesday, September 21, 2022, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate September 20, 2022:

##### DEPARTMENT OF STATE

ROBERT A. WOOD, OF NEW YORK, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

##### THE JUDICIARY

FLORENCE Y. PAN, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.

##### DEPARTMENT OF STATE

RANDY W. BERRY, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAMIBIA.