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Senate

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

PRAYER

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

Let us pray.

Eternal and ever blessed God, whose Name is love, put Your love in our hearts. Lord, teach us to love so that our primary aim in life will be to please You. Teach us to love so that our passion for You will provide the foundation of our obedience. Teach us to love so that worship will not be a duty but a delight. Teach us to love so that our greatest fear will be to disappoint You. Teach our lawmakers to love so that they will always be quick to help and to forgive. Lord, teach all of us to love so that justice will roll down like waters and righteousness like a mighty stream.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Musetta Tia Johnson, of Virginia, to be a Judge of the United States Court of Appeals for the Armed Forces for a term of fifteen years to expire on the date prescribed by law.

The PRESIDING OFFICER (Mr. KING). The Senator from Vermont.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

CHINA

Mr. SCHUMER. Mr. President, this morning, the Biden administration announced they are taking action to counter the Chinese Communist Party's threat to our national security. Just a few moments ago, the Department of Commerce said they would formally add Wuhan-based YMTC and 35 other Chinese companies to the so-called Entity List, blocking them from purchasing critical technology from American businesses.

I am glad this decision has finally arrived because I have long sounded the alarm on the economic and national security threats posed by YMTC and other CCP-backed technology companies, like CXMT and SMIC. YMTC poses an immediate threat to our national security so the Biden administration needed to act swiftly to prevent YMTC from gaining even an inch of military or economic advantage. I am glad that they are heeding our calls as well as calls from other Members on both sides of the aisle.

Of course, YMTC is a well-known chip supplier for Huawei, one of the biggest companies that pose a risk to U.S. security interests. Any supplier of Huawei is no friend of the United States because the risks are too great and the entanglements of these companies with CCP and Chinese military are too treacherous. This is a necessary and prudent step by the administration.

The administration's announcement also comes on the heels of my amendment with Senator CORNYN to the National Defense Act that would remove YMTC as well as SMIC and CXMT from our Federal supply chains entirely. It is a one-two punch: The administration blacklists these companies from doing business, and here in Congress we will shut them out even further from U.S. supply chains. Of course, this is about more than just a single group of businesses stretching their tentacles into our country. It is about holding firm against a CCP that has become more emboldened and oppressive over the recent years.

The 21st century will be largely shaped by our two giant economies. For decades, the Chinese Communist Party has cheated their way to the top by piggybacking off American technologies and American IP, with huge implications for our security and for our edge in AI, cyber security, telecom, and other major technologies. Whoever masters the technologies of tomorrow will be able to reshape the world in their image this century. And if the CCP gets there first, it will spell dark times for democracy, for freedom, and for American prosperity and American jobs.

Today's decision by the administration will provide one more firewall we

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

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all need to keep the CCP's authoritarian designs in check. I applaud the administration for taking this important step.

BUSINESS BEFORE THE SENATE

Mr. President, on the CR, the omni, and NDAA, last night, the House of Representatives passed a 1-week continuing resolution that will keep the government open long enough for us to pass a bipartisan yearlong omnibus. Negotiations keep trending in the right direction, but we still have a lot of work left to do and not enough time to do it unless we extend government funding for another week.

Let me put it a different way. As of this morning, the Senate will now require consent from both parties if we want to pass a CR before funding runs out tomorrow at midnight. We should move quickly to avert a shutdown today, without any unwelcome brouhaha that has caused shutdowns in years past.

Democrats are ready together at a moment's notice, and I hope Republicans will stand ready too. Both sides are going to spend a day to work on an agreement to get the week-long CR done. We should have no drama, no gridlock, and no delay on passing a weeklong CR.

Just remember, those who demand something happen and risk shutting down the government almost always lose. Let me say that again: No drama, no gridlock, no delay. That is the recipe right now for avoiding a shutdown within the next 48 hours. I am very hopeful we will get that done with time to spare. For the last 2 years, the 117th Congress hasn't had a single government shutdown, not one, not even for a day. I hope we don't start now just as we approach the finish line. Recent history shows that those who risk shutdowns with hopes of scoring political points ultimately lose in the end.

Once we pass the CR, we can make progress toward an omnibus. I have said it time and time again, a yearlong omnibus is the best and most balanced option to fund our government. An omnibus is the best approach because it will ensure that our kids, our veterans, our small businesses, and our military continue to have full access to vital services and programs they depend on. An omnibus is the most balanced approach because it would contain priorities both sides want to see: funding for Ukraine; the ECA, Electoral Count Act; and full implementation of CHIPS and Science; the PACT Act; and more. We worked so hard together on these bills. Let's now work together again to implement them fully.

As we continue negotiating to pass a 1-week CR and an omni, both sides will keep working on an agreement to pass the NDAA, hopefully, today. We are trying to do it as soon as today. The NDAA has been a consistently bipartisan effort for every year for more than six decades. I do not expect this year to be any different, and I thank Chairman REED and all my colleagues for their good work on this bill.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Republican Leader is recognized.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. All year, Senate Republicans have urged Democrats to prioritize two basic governing duties, two tasks that are essential to keeping America safe, keeping us on track to remain the world's superpower, and doing right by our men and women in uniform.

No. 1 is the annual Defense bill, where we authorize the investments, tools, and training that our commanders, leaders, and servicemembers need.

No. 2 is passing government funding, where we back up the NDAA's ambitions with the actual dollars and cents that turn plans into reality.

Bipartisan negotiators are still working on the second item. I hope they are able to produce text of a bipartisan government funding bill that can pass the Senate before our hard deadline next Thursday. Otherwise, I will support pivoting next week to a short-term continuing resolution into the new year.

But I am glad that, in the very near future, the Senate will finally fulfill the first key duty and pass a strong NDAA named for our retiring ranking member, Senator INHOFE.

I have spent all week discussing ways this legislation will help our Armed Forces and national security professionals, safeguard our homeland, bolster our partnerships, and keep adversaries like Russia on their back feet. Today, I want to focus on what most Senators agree is the single greatest medium-term and long-term national security challenge that our Nation faces, and that is the Chinese Communist Party.

The legislation we will pass today includes provisions to extend our security assistance to Taiwan. It steps up our investments and capabilities that are essentially crucial to operations in the Indo-Pacific, from space assets to naval mines.

It reprioritizes countering China's nuclear breakout by curbing the Biden administration's naive efforts to retire critical elements of our nuclear arsenal.

It tightens security on our cutting-edge research and bolsters sea-launch strategic deterrent capabilities.

And that is not all.

This strong bipartisan bill puts new weight behind our long-term commitments to stand with both vulnerable countries in China's orbit and vulnerable people actually within its own borders.

It will authorize a new Joint Force Headquarters right there in the region and make sure that U.S. military installations are not commercial destinations for goods that have been produced with Uighur slave labor in the Xinjiang Province.

This bill will also help stiffen the spine of the liberal entertainment industry that apparently lacks the courage to cross Beijing without clearer incentives. This year's NDAA will prohibit the use of U.S. military assets, like ships or bases, in movies where the producers then turn around and allow Chinese censors to have final signoff. If Hollywood wants to trample on American principles of free expression in order to please the Communist Party, they won't get to use our Armed Forces as props in the process.

Of course, stepping up our competition with China and limiting the risks to America from the CCP does not mean walking away from the world stage more broadly—quite the contrary. Checking the CCP will take a coordinated effort with even stronger, deeper ties between the United States and our like-minded friends and partners.

That means everything from basing access to joint exercises and operations, to strengthening our own defense industrial base so that we can continue to score win-wins, in both security and economic terms, by selling our partners the defensive capabilities they need.

Protecting America and winning the future does not entail pulling up our drawbridge, turning inward, and pretending the world will leave us alone.

China is actively—actively—trying to undercut American interests and partnerships everywhere from Asia itself to the Middle East, to Africa and beyond.

This NDAA will strengthen our hand. It prioritizes crucial partnerships in the Indo-Pacific. It adds New Zealand to the National Technological Industrial Base. It expands our ability to share cyber capabilities with operational partners, and it preserves vital security cooperation efforts in the Middle East and invests in expanding partnerships in Africa, South America, and beyond.

The NDAA is only a first step toward the investments, modernization, and stronger strategies that we need to compete and to win against rivals who don't wish us well. But it is a crucial first step.

Therefore, I encourage every Senator on both sides to support this important legislation.

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

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

TRIBUTE TO RICHARD C. SHELBY

Mr. THUNE. Mr. President, yesterday afternoon, RICHARD SHELBY delivered his farewell address here in the U.S. Senate.

It is difficult to think of the Senate without some of our retiring Members; it is nearly impossible to think of it without RICHARD SHELBY.

Like JIM INHOFE, he is a Senate institution. He has proudly served the State of Alabama for six terms in the Senate. That is 36 years of tireless work to make life better for the people of Alabama and for the American people as a whole.

He is currently the longest serving Senator in Alabama's history, as well as the longest serving Member in the history of the Senate Committee on Banking, Housing, and Urban Affairs.

Throughout his Senate career, RICHARD has always kept his eye on getting things done for the people of Alabama, whether that is supporting Alabama military installations or the work NASA does in his State. He is a longtime NASA advocate, and as chairman and ranking member of the Subcommittee on Defense at the Senate Appropriations Committee, he has worked to ensure robust funding for our national security priorities.

He has also been a champion of funding to support Ukraine in its fight for freedom.

He has been a supporter of scientific research at various government Agencies, as well as in partnership with research universities.

RICHARD is also notable for being one of the tallest United States Senators. And that is significant to me because, as a tall guy myself, I don't often run into people I can look up to, but I look up to RICHARD, both literally and figuratively.

RICHARD's record of service and his dedication to people of his State are an inspiration to me and to many others as we carry out our work here in the U.S. Senate.

And I will miss his presence and his example as well as his sense of humor, which has lightened the mood around here on many challenging days.

But if anyone has earned his retirement, it is RICHARD SHELBY. And I wish him and Annette, his wife of 62 years, some very well-deserved relaxation and the very best of everything in the years ahead.

TRIBUTE TO PATRICK J. TOOMEY

Mr. President, later today, Senator PAT TOOMEY, my longtime time colleague on the Senate Finance Committee, will deliver his farewell remarks.

PAT is known for, among other things, his steadfast commitment to pro-market policies—to fiscal responsibility, pro-growth tax policy, free trade, limited but efficient regulation—and, above all, for his command of these issues.

He has a tremendous grasp of finance, banking, and the economy and an equally tremendous understanding of what the ins and outs of the Tax Code mean for business, saving and investment, and entrepreneurship.

And he is able to break down these oftentimes Byzantine subjects and explain them in plain language. And that, around here, is a gift.

These attributes made PAT the indispensable man during tax reform 5 years ago. His expertise and commitment were key to passage of the Tax Cuts and Jobs Act—the wide-ranging reform of our Tax Code to put more money in American families' pockets and made American businesses more competitive.

Beyond tax policy, PAT has consistently fought protectionism in its many forms.

He has pushed back on financial market regulations that restrict fair competition, and he has fiercely advocated for market-opening initiatives that benefit Pennsylvania families, workers, and businesses.

He is going to be missed in the Senate—and on the Senate Finance Committee in particular—for his knowledge and his experience and for his practical approach to getting things done for the American people.

I admire PAT for his economic expertise, but I especially admire him for his thoughtfulness, his decency, and the fact that he is very principled.

He stayed committed to the causes he believes in, from improving economic opportunity for American families to reducing government waste to protecting taxpayer dollars.

And while I don't know what he will do next, I am confident that whatever he does will continue his commitment to building an economy that works for the American people.

I want to wish PAT and his wife, Kris, the very best on his retirement. I hope they are able to enjoy some well-deserved rest in the coming months, and I look forward to seeing all that PAT will do in the future.

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

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

COVID VACCINE

Mr. LEE. Mr. President, Winston Churchill said:

We sleep safely at night because rough men stand ready to visit violence on those who would harm us.

The men and women of the U.S. Armed Forces sign up for no small task. They join to serve their country; not for money, not for fame, not because it is glamorous in any way. They sign up because they understand that Winston Churchill was right—that the blessings of a free society are possible only if there are those willing to put the safety and well-being of their country ahead of their own safety and ahead of their own lives when necessary.

That solemn, sacred responsibility, the responsibility that every member of our Armed Forces has committed so nobly to upholding, deserves our utmost respect.

Regrettably, on August 9 of 2021, the Secretary of Defense issued a message to the force indicating his intent to require COVID–19 vaccination for all servicemembers. This mandate went into effect on August 24, 2021.

There were a lot of promises made at the time—promises suggesting that individual needs would be taken into account; individual needs including good-faith, sincerely held religious beliefs that might make it impossible for a servicemember to be vaccinated without violating his or her sincerely held convictions.

Unfortunately, it hasn't really panned out that way, as I will explain in a moment.

But in a nutshell, since the implementation of this vaccine mandate over almost the last year and a half, the United States military has dismissed 8,200 servicemembers for declining to receive the COVID–19 vaccine.

That is over 8,000—more than 8,200—individuals, and it is not just the individuals themselves. Many, if not most, of these individuals themselves are mothers or fathers. They have got mouths to feed, families to care for—all of whom are placed in a really unfair position as a result of this mandate. Serving our country shouldn't require you to surrender your fundamental right to make medical decisions that are right for you, no matter the reason, and yet that is precisely what the Department of Defense continues to do.

My office has received hundreds of accounts from brave members of our Armed Forces detailing the hardships and the retaliation they have experienced for declining to receive the COVID–19 vaccine. One first sergeant in the Air Force writes:

> I was involuntarily separated and my enlistment was curtailed. I was a First Sergeant with the U.S. Air Force Reserves at the time the COVID mandate was put into place. I did everything I could to be allowed to continue to serve my country. I filed my Religious AR, and when it got denied, I also filed an appeal, and that got denied.

She goes on:

> All I wanted to do was to continue to take care of the members of my squadron and continue to serve this great country.

Likewise, a Marine officer writes:

> My family was forced to move on very short notice back to the U.S. from Okinawa, Japan due to the loss of a job and the threat of travel restriction if we remained unvaccinated. . . . Many are far worse off than me.

Another lieutenant colonel with the Marine Corps Reserve was placed on ''inactive status'' with ''no warning or notice that this would happen'' and in the process lost TRICARE health insurance that his family relies on to

provide expensive medical supplies for his special needs daughter, even though his appeal for a religious exemption was and is—remains still today—pending.

It seems in this and other circumstances, the Department of Defense has issued something of a pocket veto, not acting on these requests for an exemption but instead refusing to act and therefore leaving the servicemember with few options.

This person writes:

> My entire family was—was without notice or warning—dropped from TriCare left scrambling to find health insurance.

These brave men and women represent just a tiny fraction of the servicemembers who have reached out to my office. Many are in desperation. They are pleading for someone to recognize the injustice they are experiencing. They deserve better, and we owe them more than this.

So, as we consider this year's National Defense Authorization Act, the blueprint for the defense budget that directs policy for our military, we should adopt this simple amendment that would: No. 1, immediately repeal the COVID vaccine mandate; No. 2, prohibit DOD from replacing the current COVID–19 vaccine mandate with a similar mandate absent express congressional approval; No. 3, provide remedies for any servicemember negatively impacted by the mandate, including the right to reinstatement, if desired, and to petition for a change in status if they received a negative discharge based on whether or not they were vaccinated, correcting for any loss of rank, pay or retirement benefits; and, No. 4, require the DOD to make every effort to retain unvaccinated servicemembers.

We, of course, can't take back the hardship that the military vaccine mandate has inflicted on countless servicemembers. We can't do that. That is in the past. But there are some things we can do. By adopting this amendment, we can recognize an injustice and take steps to restore the affected brave men and women who deserve our best.

We owe them that, and we owe them so much more. So I urge my colleagues to support this amendment and stand with those who themselves ''stand ready to visit violence on those who would harm us.''

It is the right thing to do.

LIEUTENANT RIDGE ALKONIS

Mr. President, while we are on the topic of actions taken by the Department of Defense that don't show adequate, appropriate, and necessary respect for those who stand in harm's way to protect us and defend us, I want to tell you the story of a brave young man, a U.S. Navy lieutenant named Ridge Alkonis.

Ridge Alkonis is one of the best and the brightest that our Navy has to offer, that America has to offer: a graduate of the U.S. Naval Academy, a decorated officer who served his country well, who goes above and beyond the call of duty by every account that I can find or that I have access to. Lieutenant Alkonis, who is also the father of three young children and a devoted husband to his wife Brittany, sits today languishing in a Japanese prison.

You may ask: What has he done? What put him there? Why is he in prison in Japan? Did he steal something? Did he harm someone?

No, none of the above. No, at the end of May—May 29, 2021—Lieutenant Alkonis and his wife Brittany, along with their three children, decided to take a brief road trip to go see Mount Fuji. While descending from Mount Fuji, he suffered a most unfortunate, most unforeseen and unforeseeable medical emergency, one that caused him to lose consciousness while driving.

His young daughter, seeing that he had lost consciousness, tried to wake him up. She kicked the seat. She yelled. She did everything she could to wake him up.

You see, he wasn't asleep. He lost consciousness. He suffered from a rare medical condition he didn't know he had. He couldn't have known that he had this medical condition that caused him to lose consciousness at that moment.

Tragically, while he was unconscious, the car he was driving was involved in an accident, one that took the lives of two Japanese nationals.

My heart breaks for them, for the family members of these individuals whose lives were lost on May 29, 2021, in Japan. I know that Lieutenant Alkonis, with whom I have spoken as I visited him in prison in Japan—his heart breaks for them as well.

Our entire country extends our thoughts, our prayers, and our well wishes to the family members of those victims.

This was not a criminal act. This was a medical emergency, one that resulted in a tragedy—and I am so sad that it did—and no one is more sad about this than Lieutenant Alkonis and his family.

You see, in Japan, they have a different system than ours. In the United States, this wouldn't result in someone going to prison. This wouldn't result in criminal charges of any kind. This would be regarded for what it is, which is a tragedy resulting from a medical emergency, an accident that wasn't foreseen or foreseeable. We wouldn't send someone to prison for that here in the United States.

We understand that different countries have different systems of law, and we do our very best to respect the laws of other countries. But that is why he is in prison today.

My purpose in raising this today is to talk about how our country handled it, not how Japan handled it. We can talk about that perhaps another day, but today I want to talk about how the U.S. military is handling this tragedy.

When a U.S. military officer or enlisted person isn't able to be present for duty, he or she will stop getting paid. They stop getting paid if they are absent from their work. It is not surprising. Pretty much any job works that way. Like most jobs, if you are absent from your work, your employer can make a decision about whether the absence was unavoidable and should therefore be excused.

An employer in the private sector might, for example, decide to continue to pay someone for a period of time if the circumstances warrant it. They might warrant it particularly if the absence was brought about as a result of the conditions in which the person was working on the job.

For example, imagine you were running a business and you had an employee whom you assigned to work somewhere in a foreign country for a period of time and something like this happened. I would imagine that many, if not most, if not all, sane employers would do everything they possibly could to take care of the family and of that particular employee and that employee's family if something like this happened in a country where they were present only as a result of their work assignment.

In fact, there is a statute that deals with this very thing for employees of the Department of Defense. That statute is codified at 37 U.S.C. 503. Here is what it says:

> A member of the Army, Navy, Air Force, Marine Corps, Space Force, Coast Guard or National Oceanic and Atmospheric Administration, who is absent without leave or over leave, forfeits all pay and allowances for the period of that absence, unless it is excused as unavoidable.

''Unless it is excused as unavoidable.''

That is exactly what the Department of Defense should do right now, is excuse as unavoidable Lieutenant Alkonis's absence. It seems to me that if ever there were an instance perfectly tailored for this statute, if ever there were an absence that needed to be excused as unavoidable, it is that of Lieutenant Ridge Alkonis.

So, with that in mind, and with the needs of his wife Brittany and their three young children who are still in Japan, Lieutenant Alkonis filed the paperwork for an exception to the policy with the Department of Defense. Now, that application was filed many, many months ago, and we now find ourselves in a situation in which that application has not been granted.

They filed this, I believe, back in June. It was transferred from one office to another in July. It was transferred—sent over to the Office of the Under Secretary of the Department of Defense a few months later. It still hasn't been acted on formally.

I have spoken with more officials within the Department of Defense than I can even count at this moment. I have been on this pattern of making phone calls since just a few weeks after this was filed in June. I have spoken with officials within the Office of the

Secretary of the Navy, including the Secretary himself. I have spoken to Under Secretary Cisneros. I have spoken to even Secretary of Defense Lloyd Austin. I appreciate their willingness to take my phone calls, but they still haven't acted. They still haven't granted those. It still hasn't happened.

Now, keep in mind this has been in the Office of the Secretary of Defense since September 3. So we are going on 3½ months since that was forwarded, and they still haven't acted.

I finally spoke with Under Secretary Cisneros. He was one of the last people I got through to. It took me 3 weeks to get through to the Under Secretary—3 weeks of calling. I finally got through to him. During that phone call, I appreciated the fact that he finally took it. He assured me that, whatever decision was made, it would be a decision that was made by the appropriate personnel and that it would be whatever was in the best interests of the Department of Defense.

I told him at the time I believed that what was best for the Alkonis family would itself be what was in the best interests of the Department of Defense, you see, because there are a lot of problems that our Department of Defense has right now. Recruiting is down. Morale is down. Threats to our national security are up. There are more demands on our military men and women than ever before.

Why would you want to take one of your best and your brightest, one of your smartest, one of these people—I have talked to so many people who have worked with him, in his chain of command, who have described him as the kind of guy who will do something that needs to be done even before anyone else realizes it needs to be done. He will go out on his own and proactively take steps to improve himself and to improve others around him. He is exactly what the Navy, what the Department of Defense, and what the United States of America need.

So why would you put him in a vulnerable position? You sent him to Japan. Look, I don't understand Japan's laws. They are very different than our own. It is Japan. It is their country. They are their laws. It is what they do. We may not within the U.S. Government be able to solve that particular issue. I wish we could, and I hope we can at some point. Those are conversations for a different day, but for today, we can deal with this. We can take care of this family.

So let's go back to November 2. I had that conversation with Under Secretary Cisneros. I told Under Secretary Cisneros that it was imperative that this be acted upon quickly because Ridge Alkonis's leave was going to be running out. You see, since he was actually put in prison in July of this year—between the accident that occurred at the end of May of 2021 to the time the criminal charges were filed and completed, it wasn't until July that he actually reported to prison—Lieutenant Alkonis and Brittany, his wife, and their three children have been relying on the fact that he had accumulated leave—leave accumulated over the years—that has lasted them this long.

I told Under Secretary Cisneros on November 2 that it was really important that this be acted upon quickly because the Alkonises need this. They need this right away. They need the certainty of it. They need to be able to plan their lives.

I then started seeking a call with Secretary Austin, the Secretary of Defense. It took me 3 weeks to get that one scheduled—3 weeks. I finally spoke to him on November 29.

Secretary Austin callously informed me on that day that the request for the exception to policy would not be granted. I asked him why. He believed that it wasn't appropriate for the Department to do that. It was a private conversation, so I am not going to go into all of the details of it. But I asked him at that moment: If that is your decision, will you at least formalize it and put it out so that it is in public; so that we can discuss it; so that its relative merits can be addressed; so that we as a Congress can figure out, once on public notice, what the action was and why it was taken; so we can decide how best to address it beyond my ability to comprehend as a lawyer and as a U.S. Senator?

If somehow the statutory text of 37 U.S.C., section 503 contains something saying, ''You may not grant an exception to policy in this circumstance, that of Lieutenant Alkonis's,'' then we could at least be on notice of that so that we as a Congress could figure out how to change the law so that it doesn't take that into account.

I have yet to tell this story to a single Member of the U.S. Congress—Democrat or Republican, House or Senate—who isn't moved by this story and who doesn't conclude: Well, of course, this is a no-brainer. Of course, we should take care of him and his family. Of course, they should be granted an exception to policy. But to do that, we have to be able to have the notice of what their decision is, of the actual decision itself, and why it came about.

I asked him when that would be coming, and he said: Soon.

I said: How soon?

I reminded him that we were just weeks away—in fact, we are now less than 2 weeks away before Lieutenant Alkonis's leave runs out and before Brittany, his wife, and his three children, who are still in Japan, will have no source of income. These are three very young children. The older kids are homeschooled by Brittany Alkonis. They are in Japan—not a cheap place to live—and their income stream is about to run out.

Now, the calloused, casual observer might respond by saying: OK. Well, then, she can just go back to the United States.

OK. And then what? Go back to the United States. Do you know what that means? That would mean that they don't ever get to see their husband and their father. In fact, because of the way the rules work in Japan, they can't even talk to him on the phone. There would be no interaction with Lieutenant Alkonis by his wife and their three children if they just left. So leaving is a problem. It still doesn't solve the problem of income for this very young, stay-at-home mom who homeschools her children. What is she supposed to do? She has got this Hobson's choice, this absolutely awful dilemma. Rather than the prisoner's dilemma, we will call it the prisoner's wife's dilemma.

This is inexcusable. The fact that they won't excuse as unavoidable Lieutenant Alkonis's absence is itself inexcusable, and we must act. It is more difficult for us to act because the Department of Defense hasn't even had the decency to issue a public pronouncement for this. I find this reprehensible.

Earlier today—in fact, just an hour or two ago—Mrs. Brittany Alkonis sent out a series of tweets, and one of them said the following:

> In 13 days, our pay and benefits will be turned off. I won't be able to support our children or Ridge—

—who is Lieutenant Alkonis—

> and I clearly won't be able to count on the U.S. Navy to do so either.

This is not a way to treat those who stand in harm's way so that we can live and be safe and be free. This isn't a way to treat anyone. None of us would treat our employees that way. I don't know anyone who would.

On top of everything else, it is not just the fact that they have now stated they are going to deny it; it is that they have waited so long to do so and that they still haven't had the decency to say so in public. Then, on top of all of that, they are going to have her kicked to the curb at Christmastime in a foreign land. This is just disgraceful.

Look, I get it. I know the Department of Defense is really big. I know that the burdens faced by Secretary Austin and Under Secretary Cisneros and by so many others I have spoken to and by those I haven't spoken to within the Department of Defense are immense. I am grateful to them and for the service they provide to our great country. I am grateful that they have taken the time to examine this issue. They have reached the wrong conclusion, and they have done it in the wrong way.

Fortunately, there is still time. The time is short, but there is still time for them to make right that which is wrong. They can still take care of Brittany Alkonis and the three children of Ridge and Brittany Alkonis. They can still do that. I urge them to do so.

If they don't do it, we will have no choice as a Congress but to act. The Department of Defense may or may not like whatever legislation we put in place in order to do it, but it will happen. It is hard for it to happen—perhaps impossible for it to happen—until

they issue their actual decision so that we know what it is we are correcting. They should at least have the decency to do that. But the United States must not allow this family to be treated this way.

In no other circumstance that I can find has anyone—going back many, many decades—serving in the U.S. Armed Forces in Japan or in any other place that I am aware of been placed in prison as a result of a medical emergency. So this truly is exceptional, and that is what makes the exception to policy so meritorious and so worthy. He did nothing wrong. This was not foreseeable. It was not avoidable. He was in Japan only because he was assigned to serve in Japan, where he has served faithfully.

We must correct this wrong, and I will be back to the Senate floor as often as it takes. Once we have the actual decision in hand, I will know what legislation to push for. I will know what office to reconfigure and what statutory language to strip out or add. They need to issue that right away. Even better, they need to issue their decision not to deny but to grant the exception to policy for LT Ridge Alkonis. The Alkonis family and the United States itself deserve nothing less.

The PRESIDING OFFICER. The Senator from Oklahoma.

UNANIMOUS CONSENT REQUEST—S. 401

Mr. LANKFORD. Mr. President, it is another time for me to be back on this floor again to talk about an issue I have talked about before, but it is a little bit different this time.

I have brought to this floor several times and have asked for unanimous consent for a very, very simple bill called the Conscience Protection Act. The Conscience Protection Act is a bill that would protect religious liberty and freedom and conscience benefits for healthcare workers across the country. It is really not that controversial. In fact, let me show you how noncontroversial this really is.

When the church amendments, years ago—decades ago, even—were put in by Congress to be able to protect the conscience rights of individuals and entities that object to performing or assisting an abortion or a sterilization in violation of their religious belief and conscience, that passed this body 92 to 1. So 92 to 1, this body voted and said: Of course, we want to protect the rights of individuals and not have to be compelled to perform an abortion if it is against their moral faith. That seems normal. In a normal conversation everywhere else, that would be straightforward and simple—until now.

Here is what is happening now: A nurse who had told her employer that she did not want to perform an abortion, that she had a moral objection to that, worked in this hospital. One day, the hospital was running short on staff, and so they called her in, didn't tell her what the procedure was, and when she walks into the surgery area, the doctor looks at her and says: Don't hate me—meaning, we know full well what your belief is—but we are short-staffed, and we need another nurse; you are going to do this. The hospital informed her: You will lose your job if you don't do this right now, when everyone knew what her moral conviction was.

Now, the way that the law is set up, it is set up to say, for that person who had an entity deliberately violate her moral conscience, then the government steps in and presses against the employer and says: You can't do that. That is the way it is supposed to work. In fact, that is the way it was working until Xavier Becerra came in to HHS, looked at the case, and dropped it and said: You get no recourse—because the administration is pro-abortion. It doesn't matter what your belief is; it is what the administration's belief is.

So the response to that is pretty straightforward: Allow an individual who has been harmed to have what is called a private right of action; that they don't have to wait for government to intervene on their behalf to have a private right of action so that an individual, if government doesn't intervene on their behalf, they can intervene.

I have brought that to this floor several times, and I have been told: That is controversial. That is divisive. Then this week, President Biden signed the Respect for Marriage Act on the White House lawn with a special feature in it called a private right of action. So if individuals who felt—and the language says—that they were harmed because of the disagreement of others on their same-sex marriage, they didn't have to wait on government to be able to intervene on their behalf; they could do it.

I was told this was belt-and-suspenders. I was told, of course, the government is going to step in on their behalf; but in case they don't, they need a private right of action so that they can stand up for their own beliefs.

It is fascinating to me that what I have asked for for people of conscience who don't want to perform abortions but are compelled to do so by their employer, that was a radical concept, that we couldn't have a private right of action for them, but it was required in the Respect for Marriage Act. In fact, I brought an amendment to take that out to say: This is going to lead to a lot of lawsuits. And my colleagues said: Oh, no. Oh, no. And voted against that.

So now I am going to ask a very simple question: Is this body going to give a private right of action to some people they philosophically believe in, but other people they philosophically don't believe in don't get that same right? Are we going to discriminate today against people of faith and say: You do not get this right; other people do? That is my simple question for today.

This is not a radical request. This is a real-life issue that is occurring right now, where this administration will not intervene on behalf of individuals who have a religious, longstanding moral objection to being compelled to perform an abortion.

Let's give them their private right of action so that employers don't feel like this administration can look the other way and they can do whatever they want to their employees or fire them, regardless of what their religious beliefs are.

This used to not be a radical concept. It was 92 to 1. This is not intended to be a radical concept today. It is a simple statement: Is this body going to discriminate against people of faith today? That is my question.

So, Mr. President, as in legislative session, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 401, and that the Senate proceed to its immediate consideration. I further ask 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. Is there an objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, 6 months ago, the Supreme Court ripped away the right to abortion; and, since then, Republicans have enacted abortion bans in States across the country. The outcry against Republicans' cruelty has been loud and clear and overwhelming.

In every single State where abortion was on the ballot, voters backed abortion rights. They made their voices clear: Women must be able to control their own bodies. They want us to protect abortion access. They want us to stand up against the wave of extreme bans and bills and partisan attacks on abortions and on doctors from Republicans.

That is exactly what this bill is, another attack on abortion that will make it harder for women to get the care that they need.

If my colleague really wants to talk about protecting healthcare providers, let's talk about the sharp rise in threats and violence against abortion clinics and what we are doing about that. Let's talk about the providers back home in my home State of Washington who tell me they are worried they could be punished for providing an abortion to patients from out of State. In my State, it is legal.

Let's talk about how Republican State lawmakers have already discussed a bill to make it a crime to provide abortion care to a resident even in another State where it is legal.

Yet, if you are one of the many, many doctors and nurses who believe they have a duty to provide abortion care, this bill does nothing to protect you for doing your job, not even if your patient's life is in danger. It is silent on the legal threats that these providers are facing from Republican States, not to mention the increasing physical threats that they face. That

violence, that science speaks volumes about the real point of this bill.

By the way, if you are a patient, well, then, the message from this bill is even more clear and even more outrageous. This bill says the ideology of your boss, of your health insurance company, of your pharmacist, or your doctor is more important than your personal decision, your medical needs, or your well-being.

That is dangerous, it is wrong, and I will not stand for it. Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oklahoma.

Mr. LANKFORD. Apparently, a woman has a right to control her own body unless her boss compels her to perform an abortion, and then she no longer has control over her own body—her boss does. And he can tell her: Perform this abortion against your faith, or I will fire you—and that is OK.

So choice seems to only go one way. If you choose to perform abortions, you are accepted in our culture. If you believe a child with 10 fingers and 10 toes and a beating heart and unique DNA and a functioning nervous system is actually a child, then you are an outlier, and your opinion doesn't count. The only thing that counts is you are compelled to take the life of more children and stand there and watch it. I think that is wrong.

No, this bill doesn't get into—as Senator MURPHY said, it doesn't get into speaking out about the violence against abortion clinics or, quite frankly, get into the violence on pregnancy resource centers that have been firebombed by pro-abortion folks, who have been spray-painted, who have threatened and attacked people who want to give sonograms to individuals who are pregnant. It doesn't deal with any of those because, quite frankly, that is a different committee. That is over in the Judiciary Committee.

This is a very narrow bill dealing with one simple topic. It doesn't deal with everything on abortion. It doesn't decrease abortions in America. It doesn't do anything like that. It is simple and straightforward. It says: Is this government going to compel people to violate their faith? Apparently, the answer today is yes from this body; we don't care what you believe. I think that is sad, and I think that shows how far we have moved as a nation when it used to be 92 to 1 that we would say: If you have a different opinion, that is OK in America. But now you can't have a different opinion. That is not right.

I would hope this body would speak out and say at some point that we respect all opinions in America and would speak out for the right of conscience for people of faith.

I yield the floor.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the scheduled vote start immediately.

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

VOTE ON JOHNSON NOMINATION

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

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Texas (Mr. CRUZ), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 76, nays 20, as follows:

[Rollcall Vote No. 392 Ex.]

YEAS—76

Baldwin	Heinrich	Portman
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Romney
Booker	Hoeven	Rosen
Boozman	Hyde-Smith	Rounds
Brown	Inhofe	Sanders
Burr	Kaine	Schatz
Cantwell	Kelly	Schumer
Capito	Kennedy	Shaheen
Cardin	King	Sinema
Carper	Klobuchar	Smith
Casey	Lankford	Stabenow
Collins	Leahy	Sullivan
Coons	Luján	Tester
Cornyn	Manchin	Thune
Cortez Masto	Markey	Toomey
Cramer	McConnell	Van Hollen
Duckworth	Menendez	Warner
Durbin	Merkley	Warnock
Ernst	Moran	Warren
Feinstein	Murkowski	Whitehouse
Fischer	Murphy	Wicker
Gillibrand	Murray	Wyden
Graham	Ossoff	Young
Grassley	Padilla	
Hassan	Peters	

NAYS—20

Blackburn	Hawley	Rubio
Braun	Johnson	Sasse
Cassidy	Lee	Scott (FL)
Cotton	Lummis	Scott (SC)
Crapo	Marshall	Shelby
Daines	Paul	Tuberville
Hagerty	Risch	

NOT VOTING—4

Barrasso	Cruz
Blunt	Tillis

The nomination was confirmed.

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

LEGISLATIVE SESSION

JAMES M. INHOFE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

House message to accompany a bill (H.R. 7776) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

Pending:

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Schumer motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Schumer (for Manchin) amendment No. 6513 (to the House amendment to the Senate amendment), to provide for American energy security by improving the permitting process.

Schumer amendment No. 6515 (to amendment No. 6513), to add an effective date.

Schumer motion to refer the bill to the Committee on Armed Services, with instructions, Schumer amendment No. 6516, to add an effective date.

Schumer amendment No. 6517 (to (the instructions) amendment No. 6516), to modify the effective date.

Schumer Amendment No. 6518 (to amendment No. 6517), to modify the effective date.

The PRESIDING OFFICER. The Senator from Texas.

H.R. 7776

Mr. CORNYN. Mr. President, I am glad that we, hopefully soon, will finally pass the National Defense Authorization Act and send this legislation to the President for his signature. Obviously, this has national, even global, implications, but I would like to spend just a moment to talk about what it means to my home State of Texas.

This year's NDAA supports a range of projects that will lead our military into the future, from nuclear modernization to next-generation weapons development.

It sends critical military assistance to Ukraine and makes a big investment in our national defense stockpile.

It focuses, appropriately, on long-term strategic competition with China, and it ensures our troops will have the tools, the training, and the resources they need to succeed in any conflict, and, of course, the ultimate goal is to make the United States military so strong that no country dares engage in a military conflict with us, and thus provides needed deterrents in order to maintain the peace.

The Defense Authorization Act shapes our military missions around the world, but it also is important for reasons that hit much closer to home.

The Defense Department is the largest employer in the United States, with 2.9 million employees, including both servicemembers and civilians. They are stationed in more than 160 different countries around the world, and on all seven continents. And, on any given day, they can be found providing life-saving medical care, maintaining aircraft, protecting communities in war zones, or carrying out various missions.

Texas is the proud home to 14 military installations which directly employ more than 235,000 people. When you add in construction, information technology, manufacturing, and the many other workers these facilities require, Texas military installations employ more than 620,000 people. The

Texas comptroller has estimated that military installations contributed about $114 billion to Texas' economy last year alone.

But, significantly, America's military is engrained in the very fabric of our State, and Texans have a profound respect for our servicemembers.

My father was a part of the Greatest Generation and served in World War II, as did my father-in-law.

My dad was a B–17 pilot, who, unfortunately, was shot down over Germany on a bombing mission on his 26th mission. Fortunately, although he was a POW the last 4 months of the war, he was liberated by General Patton and his army.

My father-in-law, who died recently at the age of 96, served at Normandy, where he landed on Utah Beach during part of that dramatic invasion of France, occupied by, of course, the German military.

But I lived for a while in San Antonio—many years, actually—and had the privilege of experiencing the incredible support for our military in that city. After all, San Antonio is known as ''Military City USA'' because of the strong and consistent military presence. And while it is unique, based on the sheer concentration of military bases in San Antonio, the strong support for our servicemembers can be seen across the State as well.

Whether you are in El Paso or Killeen or Abilene or any of the areas surrounding military installations, it is humbling to see so many men and women who have taken an oath to defend our country, along with their families, who serve as well.

As Members of the Senate, we have a responsibility to support our troops and make sure they have what they need to do the job we have asked them to do, and the Defense authorization act is one of the most important ways we do just that.

This bill provides the largest pay raise for our troops in two decades. Servicemembers and their families are facing the same inflation headwinds as everybody else in the United States, but starting next month, they will receive a greatly needed and well-deserved 4.6-percent pay raise.

This year's National Defense Authorization Act also takes big steps to support military families, and when you have an all-volunteer military like ours, supporting military families is an important component of our support for the military.

This Defense Authorization Act will also authorize additional funding to Texas school districts that serve military personnel.

It will authorize the extension of reimbursement authority for spouse relicensing to ensure that nurses, teachers, and other spouses whose jobs may require a State-specific license are not saddled with an additional expense.

This bill will also support programs in Texas independent school districts that help military-dependent children with severe disabilities.

And I am glad it includes bipartisan legislation that I introduced to improve the tools that military commanders will have at their disposal to prevent sexual assault and domestic violence within the Department of Defense.

In addition to supporting our servicemembers, this legislation will authorize $315 million for military construction projects in Texas alone. This includes $90 million for a dormitory for basic training recruits at Joint Base San Antonio; $55 million for the new power train facility at the Corpus Christi Army Depot; $31 million for power generation and microgrid operations at Fort Hood in Killeen; $15 million for a new fire station at Fort Bliss in El Paso; and the list goes on and on.

Now, these may sound like not all that exciting investments, but they are absolutely critical to the support for our military and our military families and to readiness, which is the ultimate goal—that our military is ready for any threat that comes our way.

In addition to providing needed investment at our military bases, the Defense authorization bill provides $4 billion in support to improve the production rate, modernization, and readiness of the F–35 fleet, which is built in Fort Worth.

The F–35 Joint Strike Fighter, the fifth generation fighter, is the most sophisticated airplane in our fleet, and it is important that we have an adequate number of them to maintain the readiness of that fleet.

This bill also authorizes $23 million in another critical defense asset that will be made in Fort Worth, which is the Future Long-Range Assault Aircraft. It authorizes $686 million in funding for F–16 Fighting Falcons which will be made in Texas, as well as $4.7 billion for B–21 Raiders, many of which will be based in Texas at Dyess Air Force Base in Abilene. These investments will support even more Texas jobs and strengthen our military in the process.

I am glad this year's Defense authorization bill includes legislation—strangely enough, we stick other unrelated bills into the Defense authorization bill. In this case, the Water Resources Development Act has been inserted also in the Defense authorization bill. But, specifically, this bill, as part of the WRDA bill, will develop the Texas Coastal Spine Project which will provide basic protections of infrastructure against future hurricanes along the Texas gulf coast.

In the Houston area alone, we have some of the largest concentration of refining capacity in the world, and the rest of the country depends on the fact that that jet fuel, diesel, and gasoline will be available. If another hurricane were to wipe out Houston like Hurricane Harvey tried to do, obviously, that is something that will have an impact not just locally, not just in my State, but across the Nation as a whole. So this Coastal Spine Project is very important. The Texas gulf coast is home to millions of people and industries that fuel our economy and national security.

Well, the war in Ukraine has highlighted another important aspect of energy, and that is energy security. The industries in and around the Texas gulf coast are critical to our security and for those of our allies. I believe that after years of hard work, the Texas Coastal Spine Project has begun the long, long road to final construction, and I am glad this project will be fully authorized in the Water Resources Development Act. The next step is to secure the funding to begin that lengthy construction process, and I am eager to work with our colleagues on both sides of the aisle to make that happen.

Given the threats our country is facing around the world, whether it is Russia, Iran, China, North Korea, the War on Terror, the National Defense Authorization Act could not be more urgent or more important. This legislation will make sure that our military is resourced, trained, and ready for action when called upon. It provides our men and women with the resources, training, and equipment they need to defend our country, our way of life, and our freedom. It restores our combat advantage by investing in modern aircraft, weapons, and facilities. It strengthens and builds our alliances around the world. And, above all, it sends the message to the world that our country is, and will remain, the global military leader.

There are a lot of friends and allies the United States has around the world and they are very important, but none of them is in a position to lead like the United States of America, and all of them depend on American leadership. And that is part of the message this bill will send about our intention to maintain that leadership role. That is why, for 61 years now, Congress has made passing the NDAA a priority, and I am eager to get this one done and do it for the 62nd time.

I want to especially thank Senators Reed and Inhofe, the chairman and ranking members of the Senate Armed Services Committee, for their tireless work on this legislation, as well as all of the members of the Armed Services Committee that voted this bill out of the committee on a strong bipartisan vote last July.

It is a long story for why we had to wait from July until today to vote on the bill, but the good news is we are where we are today and have a strong bill that will prepare our military for the threats of today and tomorrow. I look forward to supporting this legislation as soon as we have a chance to vote on it—hopefully, soon this afternoon.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Senator from Oklahoma.

BORDER SECURITY

Mr. LANKFORD. Mr. President, I want to bring a date to this body to

think about. It is a day we have all known was coming for a very long time, but there seems to be no urgency about this day. The day is December 21.

If anybody is wondering: What is December 21; what is the big deal about this date? I would say: That is the problem. December 21 is the date that Title 42 authority ends on our southern border.

What is title 42 authority? Everybody in this body knows this, but title 42 is a temporary pandemic-related authority at our southern border to be able to deal with individuals that are coming across the border that they could be turned around. That authority was put in by the previous administration and has remained in this administration but has been chipped away, and as of December 21, that authority goes away.

So what happens on that day? Well, the best estimate we got initially from DHS is it would move from about 6,000 people a day illegally crossing the border to 18,000 a day illegally crossing the border at that time. But, realistically, now they won't give us an estimate at all.

So let me just put this in context where we are at our southwest border right now, because for a year and a half I have asked Secretary Mayorkas: What happens when title 42 authority goes away, because it is temporary? What is your plan? And for 2 years almost, I have gotten: We are working on it. We are very aware it is temporary, and it will go away at some point. We have a plan.

And then, months ago, they came out with their six-point plan. Let me read their six-point plan to you.

The six-point plan of what to do at the termination of title 42 is: Acquire and deploy resources to address increased volumes of migrants. In other words, be prepared to handle the number coming at them.

No. 2: Deliver more efficient and fair immigration processing.

No. 3: Use expedited removal to process and remove those who don't have a valid asylum claim.

No. 4: Work with other Western Hemisphere governments to address the root causes of migration.

No. 5: Bolster NGO capacity—that is to be able to handle the flow.

No. 6: Target and disrupt cartels.

All those are fine. My question is, Are they working?

When Alejandro Mayorkas was in front of the committee just a few weeks ago, I asked him: title 42 is going away December 21st; what is your plan? And he repeated this back. The problem is, they already implemented these six items and the flow continues to accelerate.

Again, let me put this in perspective, because it is hard to be able to wrap your head around the numbers. During the Obama administration, there was a massive surge in the number of people illegally crossing the border. That was the time many people in this body fully remember, when there were additional detention facilities that were opened up. There was a big push to be able to increase the capacity during that time period. That massive surge on the border during the Obama administration was in 2014, and it was 569,000 people a year. That was a crisis-level. Jeh Johnson came out and said: This is a crisis-level surge. It was 569,000 people that year who illegally crossed the border.

To put that in context, we have had that many people illegally cross the border in the last 2 months. What the Obama administration called ''a crisis'' over 12 months, we have had in the last 2. We have well over 2 million people a year that are illegally crossing the border now, and in the last 2 months since the nearing of Title 42 is coming, that number is rapidly increasing.

During the Obama administration, they called it a crisis if there were 1,500 people illegally crossing the border a day; we are now approaching 9,000 people illegally crossing the border a day.

And when I ask, ''What is the plan?'' I get: Well, we have this six-point plan.

Here is the problem: When I dig a little bit deeper—and we have been digging deeper to be able to find out how this is working—currently, there are no cooperative agreements with other countries to be able to return back individuals who are coming to our country where we don't have a relationship. I know it is on their plan to get it at some point. We don't have it, and December 21 is next week.

All the work to be done to increase NGO capacity and processing capacity? That is happening. How to move people into the country faster? That is actually true. In fact, newspaper reports even as recently as today have reported that ICE agents are being told to release lower-level prisoners that they are currently holding to be able to allow more surge capacity for processing individuals after the 21st of December.

That is today's news.

So they are gearing up to expedite processing people into the country. They are just not slowing down the number of people coming into the country or providing a deterrent.

Other than this one comment that was made to my staff this week when we asked point blank on the expedited removal process and they said: Yes, we are actually increasing the number of people that we use for expediting removal.

That sounds great until you check the facts on it. Here are the facts: This administration, in this year, the number of people that they have declared ''expedited removal'' they have actually removed, from those folks, 7 percent of the people—7 percent—that were declared expedited removal.

Again, let me go back to the Obama administration and set this in context. In 2015, in the Obama administration's expedited removal, they were removing 69 percent of the people in 1 year. That is not an anomaly year, that is typical of people that were declared expedited removal who they were actually removing.

This administration is using the term ''expedited removal'' so people will think, ''Oh, they are doing something,'' except only 7 percent have actually been removed.

Now, listen: We have a wide diversity of opinion in this body about what needs to happen in immigration.

I don't run into a lot of people that like what is happening on our southern border right now. It is chaos.

I personally asked the Secretary of Homeland Security: How many people who are crossing our border right now—of the 2 million-plus last year, how many of those individuals have we done a background check on from their home country?

His answer to me in the hearing was: Let me get back to you on that.

By the way, I already know the answer to that, and so does he. It is zero.

We do background checks on individuals when they cross our border to see if they have criminal records in the United States or if they are on a terror watch list, but we have no idea, as to the 2 million individuals who have crossed our border, if they were fleeing poverty or fleeing justice. We have no idea. We know they paid the cartels to be able to get through Mexico, and then we literally ushered them into the country. On the 21st of this December, the problem accelerates even more.

To this body, I say: We have four times as many people illegally crossing our border now than during the Obama administration when they called it a crisis. Right now, we have four times as many people coming. On December 21, the problem gets worse because we cannot as a body speak to this issue and say: Stop.

I don't know what it is going to take in our Nation because this is not a partisan issue across the country. It is just not. I run into people of all parties and all backgrounds who say: I am all in on legal immigration. I just think we should know who is coming through the door—is that so unfair?—or have some way of processing people to be able to know.

Again, I have had folks say to me: What happens to these folks?

Well, let me tell you the current process because the Biden administration continues to say: We are going to fight against all of the push-and-pull factors for these individuals who are coming.

Can I tell you what the pull factor is? This is not hard.

The pull factor is, right now, as for the vast majority of the folks who cross the border illegally, the Biden administration is processing them as fast as they can. The fastest way to process them is to give them what is called parole, and that is for the vast majority. Now, this is a different process from what previous Presidents have done—of all parties. They are processing individuals for speed to be able to give them parole. Parole gets them across

the border quickly. They hand them a document and give them a work permit that day. That day, they get a work permit. Then they are told to check in at ICE, but the next appointment at ICE, right now, is 5 years in the future. Once they check in with ICE 5 years from now, then they are put in the next line to get to a Federal court to make their asylum claims. That is currently 10 years out.

Can I explain to you what is happening? This is not hard.

We are handing out American work permits at the border to people we have done no vetting for, ushering them into the country, and saying: We will check your asylum claim 15 years from now. Then, for some reason, it is a mystery as to why we are getting 2 million people illegally crossing the border.

It is no mystery. We happen to live in the greatest country in the world, and everybody in the world wants to come here. This is not a mystery. This is why no President has done an asylum policy like this. This is why no President in the past has managed the border like this—because we would have a massive rush at the border. On December 21, a bad situation gets worse, and this body just yawns and says it is no big deal. It is. When this blows up in our country's face, all of us are going to have to answer for it.

Now, to be frank, the vast majority of the people who are coming across our border illegally are just trying to connect with family who are already here—also illegally present, but they are just trying to connect with family here.

They have got job opportunities and want to be able to come for the job opportunities. I completely respect that. They are individuals from around the world who can make 10 times as much money if they cross our border and come into the country. I understand the pull factor of that, but we do have a legal process whereby we manage that, in theory. But who cares about the legal process anymore when you can just pay a cartel and come into the country illegally?

The cartels on our southern border are some of the most ruthless cartels in the world. May I remind this body of what we all know full well: The State Department does a listing for every country in the world about Americans' ''travel and do not travel.'' A level 1 is Canada. A level 4 is Syria and Yemen: ''Don't go there. We can't get you out.'' We all know that ranking full well. May I remind you that the states just south of our border in Mexico have a level 4 rating from the State Department, warning Americans not to travel in that area just south of our border.

Why do they have that rating from the State Department? Because a ruthless set of cartels runs several of those states. The State Department is advising all Americans: ''Do not travel there because it is not safe for you, and we cannot get you out.'' Those are the cartels that are being paid by all of the trafficking coming in.

Last year, when I was there, I asked the Border Patrol: Have you been able to track how much the cartel just immediately to your south—this was in McAllen, TX. Can you track how much that particular cartel makes from trafficking people into the country?

Their response was: Yes, we do interviews with folks. We know how much they are making.

So what is the number?

They said: The cartel just in this area—not along the whole 2,000-mile border but just in this area south of McAllen, TX—makes $152 million a week from trafficking people into our country.

Our open immigration system is enriching some of the most ruthless cartels in the world, and we are currently doing nothing to stop it. Just wait until December 21 comes. Then let's see what happens.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

REMEMBERING STAFF SERGEANT HIROSHI ''HERSHEY'' MIYAMURA

Mr. HEINRICH. Mr. President, I am truly honored to join my friend and colleague Senator LUJÁN to recognize the life of Congressional Medal of Honor recipient and Gallup's own staff sergeant, Hiroshi ''Hershey'' Miyamura, who passed away this past November.

The State of New Mexico ordered flags to be flown at half-staff in honor of one of our State's and, really, one of our entire Nation's greatest heroes.

A second-generation Japanese American, Hershey Miyamura first volunteered for the U.S. Army near the end of World War II. He did so at a time when many of his fellow Japanese Americans—and that includes his future wife—were detained in American internment camps. He served in the storied 442nd Infantry Regiment, which was composed of soldiers with Japanese ancestry and became one of the most decorated units in U.S. military history. Following the start of the Korean war in 1950, the Army recalled Miyamura, who had remained in the Army Reserves, into Active Duty.

The Korean war is often labeled the ''Forgotten War,'' and it is true that far too many Americans have forgotten the incredible sacrifices that were made by American servicemembers who fought alongside Korean as well as United Nations allies. More than 36,000 American servicemembers and more than 7,200 members of the Korean Augmentation to the U.S. Army gave their lives to defend a free and democratic South Korea. In the face of unthinkably harsh conditions, many servicemembers demonstrated the very best of what it means to be an American—none more so than Hershey Miyamura.

During an intense overnight firefight from April 24 to April 25, 1951, then-Corporal Miyamura ordered the men in his machine gun squad to fall back. Corporal Miyamura covered the withdrawal of his entire company from advancing enemy forces. He killed more than 50 enemy combatants in both hand-to-hand combat and with his machine gun. After he sustained severe wounds, enemy forces captured Corporal Miyamura as a prisoner of war but not until after he had allowed all 16 of the men in his machinegun squad to safely withdraw. In later years, Hershey was most proud of the fact that each and every one of the men who were under his charge that night survived the entire Korean war and returned home to his family.

After his capture, Corporal Miyamura marched hundreds of miles to a prisoner of war camp, where he would endure nearly 2½ years of captivity. During this time, he served as a source of strength and comfort to many of his fellow prisoners of war as they endured terrible conditions.

Nearly a month after an armistice agreement was reached, ending the hostilities on the Korean Peninsula, Corporal Miyamura was finally turned over to American authorities in Freedom Village. In a living history interview conducted years later with the Congressional Medal of Honor Society, Hershey remembered what it was like to see the American flag flying again for the very first time.

Hershey said:

> Until I saw that flag, the Star Spangled Banner, waving in the breeze, did I know that I had learned what it represents. That alone is what makes you feel so humble.

It was also only after his release that Hershey learned that his actions had earned him the Congressional Medal of Honor. Upon his return to the United States, President Dwight D. Eisenhower presented Corporal Miyamura with the Medal of Honor at a ceremony at the White House.

Hershey also received a Purple Heart, a Prisoner of War Medal, a Combat Infantryman Badge, and a Meritorious Service Medal, in addition to the service medals recognizing his service both in the Korean war as well as in World War II. He achieved a final ranking in the U.S. Army of staff sergeant.

Hershey Miyamura's lifelong dedication to his country never ceased. It continued long after his decorated military service ended. After he received his honorable discharge from the Army, Hershey opened up a service station along Route 66 in his hometown of Gallup, NM. He remained active in his community until his dying days in advocating for his fellow veterans and in inspiring young people with lectures on patriotism, faith, and service.

It was one of the greatest honors of my public service career to work alongside Hershey in opening the VA's community-based outpatient clinic in Gallup in 2015. In 2018, I was also proud to join Hershey for a tour of the site that is now the Gallup State Veterans Cemetery.

In recent years, Hershey touched the lives of countless young people in Gallup during his regular visits with students at the local high school that is

named in his honor. The Miyamura High School Patriots wear the colors purple and silver in honor of Hershey's Purple Heart; and a bronze statue of Hershey in his Army uniform and wearing his Medal of Honor stands at the main entrance of Hiroshi Miyamura High School.

I hope that none of us will ever forget the profound example of humility and patriotism that Hershey Miyamura left to each of us as his enduring legacy. Hershey Miyamura truly embodied the best of what our Nation stands for.

My thoughts are with Hershey's daughter Kelly; his sons, Pat and Mike; his four grandchildren, and all of those in New Mexico and across our great Nation who are mourning his loss and honoring his memory.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I am honored to be here with Senator HEINRICH to recognize a friend, a mentor, and a true American hero. I rise today to honor and pay my respects to a great American hero and friend we recently lost.

Hiroshi ''Hershey'' Miyamura was born on October 6, 1925, to Yaichi and Tori Miyamura in Gallup, NM. In growing up in a household of seven children, Hershey's parents left their homeland of Japan to settle in New Mexico in the hopes of creating a better life for their children. While he never thought of himself as a serious student, Mom and Dad hoped he would be. As a child, Hershey's mind was otherwise occupied with tales of Hopalong Cassidy riding on his steed—the larger-than-life-hero who saves the day.

He later remarked in life that he always liked ''the good guys'' on and off the big screen. This is why it did not surprise anyone when Hershey's determined perseverance to join the U.S. Army finally became a reality. This dream became possible when the Federal Government created a battalion of mostly Japanese Americans during the Second World War.

In a time when prejudice toward Japanese Americans was at an alltime high, Hershey remained firm in his conviction that he would serve under the flag and country his parents worked so hard to make their home, refusing to let tolerance extinguish his desire to serve our Nation at the highest level.

Hershey joined the Army shortly before Japan's surrender in World War II, training as a machine gunner—a job he excelled at. When the Korean war began, he was recalled to service. As a corporal, he was entrusted as a squad leader in the Second Battalion, Seventh Infantry Regiment, Third Infantry Division.

Even in the fog of war, Hershey was focused and selfless. He never lost sight of the friends he served alongside with. His fellow Americans were at the heart of everything he did.

Fighting with the bayonet secured at the end of his rifle during a nighttime ambush by the Democratic People's Republic of Korea, Hershey ordered his squadron back to safer grounds, providing first-aid treatment when he could. Staying behind to cover their withdrawal, Corporal Miyamura fought off over 50 enemy troops before he was badly wounded and captured.

For the next 28 months, he was a prisoner of war—all the while, his wife Terry did not know if her husband was dead or alive. Hershey suffered tremendously during this time. It is an agony that is almost impossible to imagine, and the strength of Hershey and Terry represents the very best that we all have, the very best in each of us.

On the day of his release from the prisoner-of-war camp, Hershey would recall that day with pristine detail: the first sight of the Star-Spangled Banner blowing in the breeze, knowing that he was almost home.

Returning to Gallup, NM, Hershey was greeted by a beaming crowd of family and friends, and military flyovers welcomed him home. For a moment, he was lost, but he was never forgotten.

Hershey would go on to be awarded the Medal of Honor, our Nation's highest military declaration for valor, by President Dwight Eisenhower, a revered figure Hershey looked up to as a tested and admired World War II general.

After the war, he worked hard in Gallup as an auto mechanic and small business owner, doing what he could to send his three kids off to college. He lived out the last days of his life just as he lived the first days of his life, as a source of joy and light.

A soft-spoken and honest man, Hershey Miyamura witnessed the deepest evil and yet still chose joy. He chose to be a source of light to all who knew and loved him.

Hershey continued to tell and retell his story to future generations with humility and that ever-present smile, beaming ear to ear.

I want to remark on the clarity and sharpness he had, seemingly unfazed by the years that aged him. Talking with him and learning about his legacy of service was like being taken back to the dirt roads of South Korea alongside him. Hershey's experiences never left him.

As for all the western cowboys and the Hollywood ''good guys'' he dreamed of as a child, I think it is fair to say Hershey far surpassed them and turned himself into a larger than life, real American war hero.

Hershey passed away 2 weeks ago. He was the second-to-last living Korean war Medal of Honor recipient. His legacy and impenetrable faith will live on through all of us who loved him and know him, who have the honor of continuing to tell his story.

I would encourage everyone across America to learn this story and to lift Hershey up.

Hershey is survived by his sons, Mike and Pat; his daughter Kelly; his granddaughters, Megan, Marisa, and Madison; his grandson Ian; his five great-grandchildren; his sisters, Michiko, Suzi, and Shige.

May God watch over and bless his family.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MENENDEZ. Mr. President, I come to the floor today to ask for unanimous consent for Jay Snyder, our nominee to be a member of the U.S. Advisory Commission on Public Diplomacy.

Around the world today, American values are in direct competition with powerful autocratic regimes. From Iranian protestors struggling against a misogynistic theocracy in Tehran to the African and Latin-American nations combating Russian propaganda, to the information warfare China directs across the Taiwan Strait, in every case, a well-run American public diplomacy program is often the best tool we have to make the case for our vision of the world—a world that respects international law, that supports free speech, and defends fundamental rights. And the members of the U.S. Advisory Commission on Public Diplomacy are essential to this effort.

Since 1948, the Commission has worked to understand and inform foreign publics. And whether it is our people-to-people exchanges that introduce the world to our country or confronting the deluge of misinformation meant to undermine democracies across the globe, Jay Snyder's perspectives and expertise will be critical.

He has a career spanning public service, academia, philanthropy, and the private sector, working throughout the United States, Europe, Asia, and the Middle East.

He has served on the U.S. Advisory Commission on Public Diplomacy before, starting in 2003. He has also served as a representative to the United Nations General Assembly and in his home State at the New York State Commission on Public Authority Reform.

In 2009, he founded the Open Hands Initiative, a nonprofit organization dedicated to public diplomacy, connecting young leaders and underserved communities across the developing world.

He also serves on Georgetown University's College Board of Advisors and the University of Southern California's Center for Public Diplomacy Advisory Board.

This is a nominee who will hit the ground running from day one.

Russia and China are not sitting idly by. They are throwing money and manpower at an all-out effort to convince the world that democracy doesn't work. We need to be fighting back. Our Nation cannot afford to wait another day without Mr. Synder assuming his post to tackle these challenges.

So I ask unanimous consent that the Senate proceed to executive session to consider the following nomination under the privileged section of the Executive Calendar: PN2451, Jay T. Snyder, to be a Member of the U.S. Advisory Commission on Public Diplomacy; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Idaho.

Mr. RISCH. Mr. President, reserving the right to object, first of all, let me say that I concur with the chairman of the committee on the remarks he has made regarding his position. It is an important position, and the points he makes about countering what China is doing certainly is well-taken, and I completely agree with it.

I am going to object to this, but it is for process reasons, not because the individual or because of the lack of importance of the position it is.

In the past, we have always moved these together when we have a partisan situation like this. When we discharge them from the committee, they are discharged in pairs. On this particular one, we haven't done that.

I know the chairman is going to say that that is our fault because we haven't put a person up yet to move in tandem with this. To that, I will concede. But having said that, again, the process is we have always done this in pairs in the past.

I commit to the chairman—I have already talked to the chairman about this—that we will do this. And before the end of January, we will have such a person to move together with this.

If he asks after that, I will not object. But at this time, I have been requested to object so that we can have the opportunity to put that person up.

So at this point, I would object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I thank my distinguished colleague, the ranking member on the Foreign Relations Committee, for his remarks and for the conversation we had before. I appreciate that, and I look forward to making this happen in the very early part of the new Congress.

But I will just simply say that the Board, of course, is comprised of nominees recommended by the majority and the minority, and, ideally, that is how they would move forward. I am ready to be supportive of moving forward on other nominees for this position as well.

But as has been said, the reality is that the minority has yet to make their recommendations, despite having had more than 2 years to do so—2 years.

So, in a sense, it is not fair to reject those who are waiting and went through the process and did their disclosures and everything else and have been hanging out there because the minority has not chosen to make their nominations.

I understand the Senator is objecting on behalf of his leadership. I just hope that this draws attention to the Republican leadership so that they, hopefully, will come up with their two names so that as we start the new session of Congress, we can get this done right away.

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.

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

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

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Ms. BALDWIN. Mr. President, I rise today in support of Dr. Laura Taylor-Kale, the President's nominee to be Assistant Secretary of Defense for Industrial Base Policy.

As a member of the Defense Appropriations Subcommittee, I know that growing and sustaining our industrial base is a critical aspect of the resilience of our national security, and it is critical also to maintaining our competitive advantage with China and other near-peer competitors. A resilient defense industrial base is also vital to the support the United States is providing to Ukraine.

Dr. Taylor-Kale is well suited for this role, having served in the Obama-Biden administration as Deputy Assistant Secretary of Commerce for Manufacturing in the International Trade Administration and as the senior adviser for policy and operations at the U.S. Development Finance Corporation. She has significant professional experience at the intersection of business and government and has a thorough understanding of industry challenges and their impact on supply chains most crucial to our national security. Her experience across government, the private sector, multilateral organizations, and academia leave her well suited to help ensure the Department of Defense continues to deliver secure and resilient capabilities to our forces.

Filling this position is important. It is vital to addressing critical vulnerabilities in industrial supply chains, to reducing reliance on foreign adversaries, and securing domestic industrial capacity—all actions that are key to U.S. economic and national security.

If we are serious about the role of the United States as a global competitor, we need a fully staffed and capable team managing the current and future needs of our military forces. Dr. Taylor-Kale will help complete that team.

I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 1152, Laura Taylor-Kale, of California, to be an Assistant Secretary of Defense. (New Position); that there be 10 minutes for debate equally divided in the usual form on the nomination; that upon the use or yielding back of the time, the Senate vote without intervening action or debate on the nomination; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. SULLIVAN. Mr. President.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, reserving the right to object, I want to say a few words about the Biden administration's policies on the very subject which Dr. Laura Taylor-Kale is going to be in charge.

Now, I have been working with this administration probably more than most Republican Senators, particularly on Department of Defense issues—on Department of Defense personnel, on helping them actually get confirmed—so I don't come down here and do this lightly. Heck, I introduced the Secretary of Defense, Secretary Austin, at his confirmation hearing and then whipped votes to make sure he got confirmed. So this is not my regular course of business even as it relates to the Biden administration but particularly as it relates to the Department of Defense. I have been someone who has been trying to help.

But I am objecting because the Biden administration's policies are completely at odds with the President's public statements and my friend from Wisconsin's statements about the need for an industrial policy in critical minerals that will help our military and help our economy.

Dr. Taylor-Kale will be in charge of this at the Pentagon—industrial policy, critical minerals, rare earths. What we are seeing, Mr. President, is they talk about this, but then they take actions against these very policies that hurt us. The No. 1 area where they take actions is my State, the great State of Alaska, which has more energy for America, more critical resources, more critical minerals, more rare earths for our Nation—for our Nation.

My State has had 40 Executive orders or Executive actions in 2 years from this administration, issued singularly and solely against Alaska. Of course, that is crushing the economy of my State, workers in my State. But here is the broader point for this topic today: It is really undermining America's national security. Critical minerals, natural resources—we all know we need them, yet one big part of America—it is the target of this administration to shut it down. It is ridiculous.

As I said to my colleague, if a Republican administration went to Wisconsin

or issued 40 Executive orders and Executive actions solely against Wisconsin or Maine and you guys came to me and said, ''Hey, Dan, help us. Geez Louise, the war on Alaska. Help,'' I would help.

My State is getting crushed.

Here is the specific issue that relates to this nominee. The President held a summit on critical minerals—a good example of what we need to do—on February 22, 2022, and he said: We need these critical minerals. The demand for them is going to increase 400 to 600 percent over the next several decades.

We can't build a future that's made in America if we ourselves are dependent on China for the materials that power the products of today and tomorrow.

And our national security.

That is the President of the United States on his big critical minerals summit hosted at the White House to talk about supply chains and industrial capacity and military issues.

The same day the President of the United States held that critical minerals summit, the Department of the Interior said that they were going to reverse a 7-year EIS record of decision, $10 million by professional staff in the Federal Government, on what is called the Ambler Mining District in Alaska, one of the biggest, most extensive sources of critical minerals in the country, maybe even in the world—a project, by the way, that has been in permitting since the Obama administration.

That same day, they reversed it and said: Alaska, start over.

Nuts. Crazy.

So what I have done is I have put a hold on a couple of Department of Defense nominees who are in charge of this area, and Dr. Taylor-Kale is one. But I have been reasonable. I went to the Deputy Secretary of the Interior, the Deputy Secretary of Defense. We held a conference with White House officials. I simply said: I am not asking to reverse your crazy decision—which it was crazy. It hurts my State for sure, but it hurts the national security of our country.

I simply said: I want three simple asks—so I have been trying to work to get the nominee cleared—three simple asks from this administration: Identify a definitive, workable schedule with a clear, legitimate timeline for completing the review of this project that has already been in almost 10 years of permitting—to do it in a timely manner. That was No. 1. Clearly state the Federal Government's intent to allow the Alaska entities that are trying to move this forward to continue to complete baseline scientific data gathering and design work, such as wetland delineations and engineering reconnaissance for this road. That was No. 2. Allow these Alaska entities that are moving this road and project forward to complete its planned geological drilling and core sampling program, which is critical to advancing the project and engineering design, as this case is now being remanded.

That was it. That was it. Three simple requests. None of these are hard. None of them are hard.

I have raised this with the Secretary of Defense, the national security team, of course, Interior, and they keep telling me no. This is easy. If the Secretary of the Interior came and said, ''Senator SULLIVAN, I saw your remarks on the floor. I agree with all three of those things. You are right; they are simple,'' I would lift my hold today.

So the ball is in the administration's court. If they really want Dr. Taylor-Kale to be confirmed, they could do it tonight. Meet my requests, which are quite reasonable. I did not ask them to review or reverse the crazy decision that they made in February of 2022. These are very simple requests. I have been very reasonable on this. No one on their side is being reasonable, so I will continue to hold her and some of the other DOD nominees who are in charge of critical minerals and industrial capacity in the Department of Defense until the simple demands that I am asking for that not only will help my State but will help the national security of America.

They won't do it, so I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I listened carefully to my colleague from Alaska as he objected, and I just want to add a couple of comments in response.

I had a chance to share with him that there was a Wisconsin conflict between the Department of Defense and the Department of Interior, something that when I was a Member of the House of Representatives I worked on for 14 years and could not get it shaken loose—finger pointing, finger pointing. And then I had the honor of being elected to the U.S. Senate, where we have the power to place holds on nominees. And I had the opportunity, and took advantage of that opportunity, to place a hold on a nominee who was absolutely in the position to resolve the issue. And it is a powerful tool.

In this case, the person who is being held could be doing so much to advance and grow our defense industrial base and help to improve our national security and resiliency. And this particular person is not in a position to, if confirmed, resolve the issue that I heard my colleague describe. So I am disappointed that we cannot move ahead with this confirmation at this time.

I understand the power of the hold, but it is much more powerful when the person being held is also in a position to resolve the issue.

And with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I just want to say that I certainly would be willing to work with my colleague from Wisconsin on this issue. I have been working on it in good faith with other Members on the other side of the aisle. Maybe, perhaps, she can help me with the three simple asks we have put forward to the Department of Interior, and if they agree to those simple asks—and they are simple—then I will lift my hold. So maybe the Senator from Wisconsin and I can work together on this.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Wisconsin.

Ms. BALDWIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FURTHER CONTINUING APPROPRIATIONS AND EXTENSIONS ACT, 2023—Motion to Proceed

Mr. SCHUMER. Mr. President, I ask that the Chair lay before the Senate the message to accompany H.R. 1437.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 75, nays 20 as follows:

[Rollcall Vote No. 393 Leg.]

YEAS—75

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Romney
Blumenthal	Hyde-Smith	Rosen
Booker	Inhofe	Rubio
Boozman	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	Kennedy	Schumer
Capito	King	Shaheen
Cardin	Klobuchar	Shelby
Carper	Lankford	Sinema
Casey	Leahy	Smith
Cassidy	Luján	Stabenow
Collins	Manchin	Sullivan
Coons	Markey	Tester
Cornyn	McConnell	Thune
Cortez Masto	Menendez	Toomey
Cotton	Merkley	Tuberville
Duckworth	Moran	Van Hollen
Durbin	Murkowski	Warner
Feinstein	Murphy	Warnock
Gillibrand	Murray	Warren
Graham	Ossoff	Whitehouse
Grassley	Padilla	Wicker
Hassan	Peters	Wyden
Heinrich	Portman	Young

NAYS—20

Blackburn	Ernst	Johnson
Braun	Fischer	Lee
Cramer	Hagerty	Lummis
Crapo	Hawley	Marshall
Daines	Hoeven	

Paul	Rounds	Scott (FL)
Risch	Sasse	Scott (SC)

NOT VOTING—5

Barrasso	Burr	Tillis
Blunt	Cruz	

The motion was agreed to.

FURTHER CONTINUING APPROPRIATIONS AND EXTENSIONS ACT, 2023

The PRESIDING OFFICER. The Chair lays before the Senate the following message from the House.

The senior assistant legislative clerk read as follows:

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 1437) entitled ''An Act to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes'', with a House amendment to Senate amendment.

The PRESIDING OFFICER. The majority leader.

MOTION TO CONCUR

Mr. SCHUMER. Mr. President, I move to concur in the House amendment to the Senate amendment, and I ask for the yeas and nays on the motion to concur.

The PRESIDING OFFICER. Is there a second?

There is a sufficient second.

The yeas and nays are ordered.

The PRESIDING OFFICER. The majority leader is recognized.

MOTION TO CONCUR WITH AMENDMENT NO. 6534

Mr. SCHUMER. Mr. President, I move to concur in the House amendment with an amendment No. 6534, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to concur with the House amendment to the Senate amendment with an amendment numbered 6534.

Mr. SCHUMER. I ask unanimous consent that further reading be dispensed with.

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

The amendment (No. 6534) is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall effect on the date that is 1 day after the date of enactment of this Act.

Mr. SCHUMER. I ask for the yeas and nays on the motion to concur with an amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6535 TO AMENDMENT NO. 6534

Mr. SCHUMER. I have an amendment at the desk to amendment No. 6534, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 6535 to amendment No. 6534.

Mr. SCHUMER. I ask unanimous consent that further reading be dispensed with.

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

The amendment (No. 6535) is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike ''1'' and insert ''2''.

MOTION TO REFER WITH AMENDMENT NO. 6536

Mr. SCHUMER. Mr. President, I move to refer the House message to the Committee on Appropriations with instructions to report back forthwith with an amendment No. 6536.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to refer the bill to the Committee on Appropriations with instructions to report back forthwith with an amendment numbered 6536.

Mr. SCHUMER. I ask unanimous consent that further reading be waived.

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

The amendment (No. 6536) is as follows:

(Purpose: To add an effective date)

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

Mr. SCHUMER. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6537 TO AMENDMENT NO. 6536

Mr. SCHUMER. I have an amendment to the instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 6537 to the instructions to the motion to refer.

Mr. SCHUMER. I ask unanimous consent that further reading be waived.

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

The amendment (No. 6537) is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike ''4'' and insert ''5''.

Mr. SCHUMER. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 6538 TO AMENDMENT NO. 6537

Mr. SCHUMER. I have an amendment to amendment No. 6537, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment numbered 6538 to amendment No. 6537.

Mr. SCHUMER. I ask unanimous consent that further reading of the amendment be waived.

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

The amendment (No. 6538) is as follows:

(Purpose: To modify the effective date)

On page 1, strike ''5'' and insert ''6''.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Missouri is recognized.

NO TIKTOK ON GOVERNMENT DEVICES ACT

Mr. HAWLEY. Madam President, last night, the Senate took the important step of unanimously, on a bipartisan basis, passing legislation to ban TikTok on all Government devices.

Now, this has been a longtime coming. I first introduced this piece of legislation almost 3 years ago. But last night's legislation is vitally important because never has the security threat to the American people from the Chinese Communist Party been more grave and never has the determination on the part of the Chinese Communist Party to leverage every possible asset, every possible platform to gather information—personal information—from the American people been more serious than it is now. That is why last night's action by this body is so critical.

Let's talk about TikTok for a moment, the most downloaded app in the world for the last 2 and 3 years running. Back in 2020, over 100 million Americans—100 million—used TikTok, and that was over 2 years ago. Since 2022, TikTok's average monthly users—and this year, every quarter of this year—has increased by 234 percent. It is incredible growth. You can see why. It is a fun app to use.

Here is what Americans don't know because TikTok doesn't want them to know. It is that the app runs continuously in the background of your phone or device. It collects your keystrokes. It has access to your email, access to your calendars, access to the notes and clipboard functions of your computer or iPhone or tablet or device. It, of course, tracks your geolocation. It is essentially an evidence-gathering, data-gathering machine that runs on your phone.

Can you turn it off? Can you stop it from doing these things? No, you can't, not if you want to use the app.

What is the connection to Beijing? Only this: that TikTok is owned by ByteDance. Under Chinese law that company must—must—provide all data to the Chinese Communist Party that the party wants upon its request.

We know that there are Chinese Communist Party members in TikTok leadership. We know that the Chinese Communist Party has held so-called training sessions for ByteDance and TikTok

employees. We know that this data—Americans' data—is available to the Chinese Communist Party, to Beijing, because of TikTok, and it is time we did something to protect American users.

We have been warned repeatedly by our own intelligence Agencies that TikTok is a security threat. Heck, the Director of the FBI has testified under oath that TikTok poses major security risks. That is why the Pentagon, the State Department, the Department of Homeland Security, TSA, the Navy, the Army, the Air Force, the Coast Guard, and the Marine Corps have already banned the use of TikTok on Government devices. The only sensible next step is for this Congress to act to make that ban across the board for all Federal devices.

Now TikTok has tried to get in on the act. They issued a statement this morning admitting that there may be national security concerns with their platform, after denying it under oath for years on end to Congress. But they also begged Congress not to do anything rash like actually take action. They said: No, no, no, no. Wait, wait. Negotiate with us.

Well, I just say this: The time to wait to secure the privacy of American citizens is long past, and the least we can do, the very first step we can take, is to ban this app and its use on Federal Government devices.

I hope that now the House and the Senate will act together to move this legislation quickly to the President's desk and we can take the further historic step of seeing this legislation enacted into law, protecting the privacy and the security of every single American.

It is within our reach. Let's act now and get it done.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Republican leader.

TRIBUTE TO PATRICK J. TOOMEY

Mr. MCCONNELL. Madam President, the Senate is often labeled as the world's greatest deliberative body—a place where generations of titanic statesmen have asked the deep questions about America, questions like: How do we balance individual liberty with the common good? What role should we play on the world stage? and ''How should tax depreciation affect a small restaurant owner who is buying a new Fry-o-lator?''

Anyone around the Senate would recognize that last query as the work of our detail-oriented, hometown-focused, economic whiz—the junior Senator from Pennsylvania, PAT TOOMEY.

PAT's entire sterling career—from the private sector to the House, to nonprofit activism, to the Senate—has revolved around the reality that economics is central to daily life. What can seem like dry details or esoteric issues can determine whether whole societies rise or fall and whether hard-working families struggle or succeed. For two terms in the Senate and almost two decades total in Congress, PAT's commanding mastery of economic issues has had a massive, massive impact on his State and his country.

Our friend takes particular pride, as he should, in his leading role in delivering the generational tax reform of 2017. Most people involved in that massive effort found it exhausting. PAT considered it energizing. Our resident economist was actually in his element, and the work he helped lead created one of the best economic moments for working Americans in a generation, before the pandemic.

But tax reform is far from the only fruit of PAT's labors. From the JOBS Act of 2012, which put financial markets more within the reach of everyday investors, to the CARES Act, where PAT helped steer our bedrock financial institutions through pandemic turmoil, we knew we were getting a principled firebrand when our friend joined the Senate.

We have also gotten a collegial consensus-builder. Whether it was PAT's work on the 2011 supercommittee or his tenure at the top of the Banking Committee, PAT has blended principle, pragmatism, and persuasion.

He is always professional and respectful to his colleagues, to nominees—to everybody. He is unusually skilled at fighting the fight and unusually skilled at getting an outcome.

PAT's life and career have brought him a long way, but you still see the seeds that were planted by his father—a marine vet and utility worker. There wasn't any legacy fast track into the Ivy League, but thanks to a good upbringing, it was hard work and sheer brainpower that paved our friend's PATh to a prep school merit scholarship and then on to Harvard.

PAT cut his professional teeth as a trader in New York and Hong Kong—a free marketeer right from the start. But right as his Wall Street opportunities were taking off, PAT hit pause on his big city rise and put his economic instincts to an even higher stakes test: He actually headed back to Allentown to set up a family business from scratch. The small restaurant PAT and his brothers started was a proving ground for PAT's deep convictions in the community-building, life-changing power of free enterprise and entrepreneurship.

I understand PAT's first venture into elected office, a local commission, was mostly just an effort to make sure bureaucrats didn't meddle with the success of Rookies Restaurant and others like it.

The rest, of course, is history. PAT Toomey became a formidable Congressman, then a pivotal outside player, and finally a masterful and essential Senator. PAT has led the charge for his fellow Pennsylvanians on one front after another.

In one instance, he responded to tragedy close to home with a solution for the entire country. Heinous buck-passing on child abuse in public schools, known as passing the trash, had let an offender who had abused a child in Pennsylvania proceed to strike again in West Virginia. With the help of the senior Senator from that State, PAT spearheaded legislation that compels States to crack down on this abhorrent practice.

Another time, through sheer willpower, PAT literally became a life-saving legislative guardian angel for a young Pennsylvanian battling cystic fibrosis. Sarah Murnaghan was only 12 years old when outdated and tangled rules around lung transplants put her young life in serious peril. PAT rallied a coalition of Members. They relentlessly lobbied the executive branch. A Federal judge weighed in, and, long story short, that young lady got her transplant and is still with us today.

PAT's creative problem-solving has known few bounds. The way I hear it, one time, our colleague literally leveraged the America's Cup sailboat race as a way to get a specialized transport ship reflagged so that Pennsylvania's natural gas industry could keep moving useful byproducts to market.

In the midst of all of this, PAT made sure his office's casework for Pennsylvanians was just as superlative. His team's incredibly tight turnaround for responding to constituents has earned PAT praise from unlikely corners. I understand that, one time, former President Clinton went out of his way to inform our colleague that a friend of his in the Keystone State couldn't believe how quick and substantive was a reply he or she had gotten from Senator TOOMEY's office.

While many Capitol Hill offices struggle just to turn around the correspondence that comes in, I have it on good authority that PAT will literally go combing through local newspapers' ''Letters to the Editor'' so that he can proactively initiate contact with Pennsylvanians who haven't even sought him out.

Even the most eager morning people on PAT's staff have learned to expect the lights will already be on when they get to the office—their boss, already primed with ideas and questions: ''I think we could come at this a few different ways'' or ''Have you seen how German Government bonds are trading today?''

But our colleague is also known for his thoughtful, almost fatherly leadership style. PAT holds everyone to a high standard, especially himself, but if something goes amiss, there is no quick temper, are no harsh words—just a facial expression that his team affectionately calls ''that 'disappointed dad' look.'' And no matter what happens, everyone is invited to the annual pool party at PAT's house.

Talk about an interesting Senate creature—a man with a brain formed on the trading floor and a heart shaped by Lehigh Valley kitchen tables.

PAT's true loves are family and free enterprise. This combination has made him a formidable Senator, but it has

also shown us the writing on the wall: The Senate was never going to keep our friend forever.

PAT is always careful to refer to his Senate service as the ''greatest professional honor of my life.'' Note the caveat, because everyone knows what PAT sees as the greatest honor overall. We have seen our friend fiercely guard every possible moment of family normalcy with Kris and their three kids. We have seen hours blocked off on PAT's calendar on a weeknight under the label ''Duncan's Baseball Practice.'' We have heard about evening sprints to the train station in order to make it to a Christmas pageant—only to see our friend right back here the very next morning.

So like I said, Madam President, family and free enterprise—the two great loves.

I heard a classic PAT TOOMEY story where a young intern in his office was excitedly telling his friends about the prestigious ivory tower Path that he was aspiring to. Apparently, his boss, the Senator, chimed in with something to the effect of, Yeah, that sounds great, but have you ever considered opening up a small business?

So while we are going to miss PAT around these parts, none of us can claim surprise that family and free enterprise have teamed up to steal him back.

Since we are talking about an all-star Senate dad, let me put it this way: PAT, your colleagues and I aren't mad. We are just disappointed.

(Laughter.)

You have achieved so much. You have done just what you hoped to.

Congratulations, and thank you.

The PRESIDING OFFICER. The Senator from Pennsylvania.

FAREWELL TO THE SENATE

Mr. TOOMEY. Madam President, I rise for the customary farewell address.

I would like to begin by thanking our colleague and our leader, MITCH MCCONNELL, for his very, very kind words.

I appreciate that, Leader MCCONNELL. I would also like to say that I appreciate the confidence you have repeatedly placed in me. Your recollections have brought back many memories.

One was the supercommittee. I served on the supercommittee, but what most of you probably don't know is that Leader MCCONNELL had great reservations about putting me on the supercommittee. Oh, yes, he grilled me for what seemed like hours over several occasions.

Here is why: He grilled me because he wanted an outcome. And his concern was, will this be firebrand from the Club for Growth be willing to compromise, be willing to reach an agreement that couldn't possibly be exactly what he wanted?

What was most important—as I recall from our conversations—to Leader MCCONNELL was that the people on that supercommittee, at least the ones that he could appoint, be interested in a successful outcome?

I would suggest that one of the things that is underappreciated about Leader MCCONNELL is how relentlessly focused he is on outcomes. It is hard to know because he doesn't tell us that much about what he is thinking, if you haven't noticed, but I am pretty sure that that is a big driver.

So, Leader MCCONNELL, I appreciate your leadership. I appreciate the confidence you placed in me. I appreciate our friendship and terrific working relationship.

For the many thanks that I have to give, I will start with my family. Starting with my parents, they did a great job raising six kids, I will tell you that much.

I have to really stress my gratitude for my wife Kris. Most of you probably don't know, but Kris had a very successful and promising career as a consultant, which she put aside so that I could pursue mine. So, in many ways, I think she had a tougher job because she was home raising three kids. And she has done a phenomenal job of that.

Last month, we celebrated our 25th wedding anniversary, and I think I will spend the next 25 years letting her know how much I appreciate her.

Our kids are here. Bridget is 22; Patrick is 21; and Duncan is 12½.

You know, growing up in a political family has its disadvantages. You would be surprised to learn, but it seems like about every 6 years or so people ran some really nasty ads about me on television. They did. The kids see ads, obviously. Also, I missed more of their activities than I would have liked to because I had to be here, but they were always terrifically understanding about that. I am sure looking forward to spending more time with each of them.

For those of us who serve on this body, we all know that staffs are the unsung heroes of our successes. I have been luckier than anybody deserves to be with the teams that I have had working for me over the years—18 years in public office over a 24-year period; 6 in the House and 12 in the Senate. I have just had wonderful, wonderful folks—mostly younger people, as we know our staffs tend to be, but just terrifically capable, hard-working, bright people.

My State staff, for instance—Leader MCCONNELL was kind enough to point out—the reputation that we had. I don't deserve the credit for that. They are the ones who worked so hard on behalf of our constituents.

From Philly to Erie and the other 65 counties and enumerable little boroughs and townships, every day they approached constituent service with enthusiasm and professionalism that was amazing. I mean, little boroughs requesting Federal grants and businesses struggling with Federal bureaucracies and regulations, veterans stymied by the VA or the Social Security Administration—it didn't matter what it was, my staff was on the ball getting the job done and doing it with a great attitude.

My personal office here in DC, both when I was in the House and in the Senate, also are just terrific, terrific people.

You know, I represent a very big State that is relatively close to DC so we have a huge number of constituents who want to come down and make their case, as they should. Most of those meetings end up getting taken by our staff, as you know. They have just done such a great job.

Our leg and comms shops are always working so hard to get the policy exactly right and get our message right; the administrative staff that kept things running smoothly so I never had to worry about anything.

I have to say a special thanks to the Banking Committee staff. I have been on the Banking Committee since I got here, but only the last 2 years have I been the ranking member on the committee. I honestly think we accomplished about as much as you can when you are in the minority, and so much of it is because it is a great team.

We focused on all the areas of jurisdiction of the committee: financial services, monetary policy, housing, transit. We did a lot of important work on the nominees to important regulatory posts. I think we did a good job of providing the oversight of powerful regulators, including encouraging them to stay in their lanes. I will always be grateful to them.

By the way, many of them are still here, and they will be here to the bitter end. We are still processing requests for the omni.

I have got to say a big thanks to the campaign teams that I have had over the years. You know, my first House primary was a very improbable success. I know most of you are thinking any election that I won was an improbable success. I get that. But I can tell you for sure, it wouldn't have happened without a terrifically talented and dedicated campaign staff, some of whom became part of the official staff, others have chosen to stay on the political side.

As for all of you guys, my colleagues, I have teamed up with every Republican at some point over the years, and most of my Democratic colleagues also at one time or another, and it has been a real honor and it has been a privilege to work with each of you. You folks have been terrific allies, even when it is on an item that is a rare item of agreement.

Speaking of which, let me say a word about my colleague BOB CASEY. You know, I don't think you could ask for a more collegial, thoughtful colleague than the fellow that shares the senatorial responsibilities with me for Pennsylvania. The fact is, we canceled each other's vote out almost every time—that is a true fact—but we have also worked together when we could.

One of the areas where we had just tremendous success is filling vacancies on the Federal bench in Pennsylvania.

In fact, Senator CASEY, and according to the last count that I have, you and I working together these last 12 years got 33 Federal judges confirmed to the bench in Pennsylvania.

Now, that happens because we have great staff work happening; we have volunteers who do a wonderful job of vetting candidates across our Commonwealth; but it also happens because BOB and I wanted to get this job done so that the people of Pennsylvania could have justice. And I think that only two—only New York and California have had more judges confirmed in this time.

So, Senator CASEY, I appreciate the great working relationship we have had.

As a general matter, as a body, I think we all understand we are not that popular, but I don't think I have ever worked with a more impressive group of individuals. So I appreciate having had that chance.

I also have to thank the people of this great Commonwealth of Pennsylvania that my family and I get to live in. Leader MCCONNELL used my line. It is true, and I say it all the time, and it will always be true, representing Pennsylvania in the U.S. Senate for these 12 years has been the greatest honor of my professional life. I will always be enormously grateful to the wonderful people of this great State for their entrusting me with this awesome responsibility.

I am also uniquely grateful to the people, the volunteers, who made those campaigns successful.

When I think about my mission in the Senate, I think about two complimentary aspects of it.

First, it is to represent and defend the specific interests of Pennsylvania, and I tried to do that to the best of my ability.

You know, I think sometimes we are such a big and diverse State that what is good for Pennsylvania is usually good for America and vice versa, but it has also been important to me to defend and advance the cause of personal freedom. In the hierarchy of political values, freedom is first for me.

I think the purpose, the real purpose of government is to secure the blessings of liberty, and government too often is the source of restrictions on our freedom instead.

But in this category of defending and advancing personal freedom, my focus has tended to be the economic realm. Economic freedom is a fundamental aspect of personal freedom, and there is a well-documented high correlation between a society's economic freedom and the level of prosperity and the standard of living of the people in that society.

So you probably won't be surprised to learn that I think my biggest legislative accomplishment was that opportunity that I had to be a part of a small group of Senators, Finance Committee members, who got a chance to develop and help pass the 2017 tax reform. That group included Senator PORTMAN, Senator SCOTT, Senator THUNE, and countless hours that we spent in a conference room dealing with what was a very complex product.

We took our draft, and we presented it to our colleagues, and over a course of many weeks, we kind of iterated our way to what became the most sweeping tax reform in at least 30 years. And we expanded economic freedom with that product. Honestly, I have to tell you, I think the results were even better than what we had hoped for.

By the time the tax reform had been fully implemented—I think calendar year 2019—we had the strongest economy of my lifetime. We had strong economic growth, a 50-year low unemployment, alltime record-low unemployment for African Americans, alltime record-low unemployment for Hispanic Americans and other ethnic minority groups. Wages were growing, and they were growing faster than the rate of inflation, which means that workers were able to see a rise in their standard of living. And wages were growing fastest for the lowest income Americans so we were also narrowing the income gap.

We ended corporate inversions. There hasn't been one since. Remember how frequently they were occurring?

And with a lower corporate tax rate but also fewer deductions, business boomed. The corporate tax rate was down to 21 percent. This year, with a 21-percent top rate, we are exceeding the revenue projections that were made prior to tax reform when the rate was 35 percent. This is not just about inflation. As a share of our economy, total Federal tax revenue is at a multidecade high. So much for the thought that we were going to increase the size of the deficit from the tax reform.

Oh, and by the way, we also made the Tax Code even more progressive than it was. That is right. Higher earners now pay a greater portion of the total tax burden than they did before our tax reform.

I know my Democratic colleagues were skeptical about this, and I understand. But I would like to suggest, the data is in, and it is really good. There are important provisions that are scheduled to expire, and I do hope that Congress and the administration can find a bipartisan path to extending—or better still—making permanent these otherwise expiring provisions.

I hope you will indulge me for just a few moments to make a couple of other recommendations. I have got one for my Republican colleagues; I have got one for my Democratic colleagues—mostly for my Democratic colleagues—and two for this institution that we have had this privilege to serve in.

For my Republican colleagues, let me just say, our party can't be about or beholden to any one man. We are much bigger than that. Our party is much bigger than that. We are the political representation of this huge center-right coalition across America. On a good day, that is more than half of Americans.

And I hope we resist the temptation to adopt the protectionist, nativist, isolationist, redistributive policies that some are suggesting we embrace. I think those are inconsistent with the core values of a majority of the people in this coalition. More important, I think those ideas lead to bad outcomes for our country.

For my Democratic colleagues, I have heard many of you passionately—and I believe sincerely—declare your determination to defend our democracy, but I would suggest we all remember that democracy requires much more than the ease of voting in an election.

Elections are absolutely necessary, but they are an insufficient condition for a truly democratic society.

Elections really are a means to an end; they are not the end themselves. The end, or purpose, of elections is to provide the mechanism of accountability of the government to the people whose consent is our sole source of legitimacy.

When we hand over Congress's responsibilities to unelected and, therefore, unaccountable parts of our government—be that the courts or independent regulators or executive branch Agencies—we really undermine our democracy, which, of course, is really our Republic, because we weaken the accountability of our government.

Now, look, both sides have done this over time, but I would just hope we could all agree that preserving more responsibility and, therefore, accountability for the legislative branch of government is a good thing for our Republic.

And then two suggestions for this amazing, historic institution. The first one—and it is the most important one: Please keep the filibuster. It is the only mechanism that forces bipartisan consensus. It prevents government governance from the extremes. By forcing bipartisanship, it results in more durable legislation and so lessens the likelihood of big swings in policies. It provides stability for our constituents. And if you want to see more polarization, get rid of the filibuster and we will have much more polarization.

The second thought I had that I wanted to share with you is, I think we can all agree that the Senate has not been functioning as well as it once did and as it really should. I don't think too many committees are producing too much legislation the old-fashioned way. The old-fashioned way was actually a pretty good vetting process for developing legislative ideas. And when legislation does get to the floor, typically, there are very few substantive amendments that are allowed to be considered.

The result is, as a body, it is very difficult for us to discover whether and

where there might be a consensus. I know there are a lot of reasons for this, including political polarization, reasons why the Senate behaves in a way that tends to block debate and voting.

But there might be some relatively modest tweaks in Senate rules that might just facilitate restoring some of what used to be normal functioning. I know a lot of you have done a lot of work in this and that work is still underway. Let me suggest you consider one small tweak, a small but important technical change to a rule, the rule which enables the obstruction of the body.

I am not talking about the filibuster but, rather, the rule that effectively requires unanimous consent, in most cases, to allow a vote on an amendment, any amendment, even a germane amendment.

I can tell you, most Pennsylvanians are very surprised to learn that in order for a Senator to get a vote on almost anything, he or she needs the permission of every other Senator. I don't think this rule is workable any longer, and it contributes to the dysfunction. So I have just got a simple idea: Consider raising the threshold for blocking an amendment to some number greater than one.

Now, I support the filibuster because I think it is reasonable for 41 Senators to be able to block legislation. It just doesn't seem reasonable for one. So I don't know what the right number is, and I am not religious about this. Maybe it is 10. Maybe it is 20. Maybe it is 50. But I would just suggest that this body consider somehow raising the bar of preventing the Senate from functioning. There may be better ways to do it, but that is one suggestion.

Let me conclude with this: You know, we have all inherited something really, really, truly special. I know we all appreciate that, the fact that we live in the greatest country in the history of humanity and that we serve in this amazing legislative body.

I suspect we all get asked—I know I get asked from time to time—some version of the question: How worried are you about our country's future? And, often, there is some combination of national security, political polarization, and the future of our economy that is the primary concern of the people posing the question.

My short reply is usually: Look, we have gotten through much tougher times.

But think about it. I think that is so true, and it is important to remember. On national security, we have got real threats out there. Russia is obviously led by a violent, dangerous bully. The Chinese Communist Party is a rising and increasingly aggressive threat. But nowhere do we face the imminent threats that we faced during World War II and at several moments during the Cold War.

And we are polarized, and it is uncomfortable and it is problematic; but, in 1968, we had political assassinations and cities were being burned down. And this Chamber, this very Chamber we are in right now, first opened its doors in 1859. Imagine living through the decade that followed that.

As for the economy, look, there are always risks to any economy. Ours is no exception. I think inflation is a significant problem. There is a possibility we have a recession next year. We have huge and growing national debt, and I think that is going to be a real challenge for us.

But I think it is worth remembering this: The vast majority of Americans have a much higher standard of living today than our parents did when they were our age. And a rising standard of living is, after all, the purpose of economic growth.

So I always answer that question about America's future with the truth, and that is that, despite our challenges, I am extremely bullish on America. And I think my optimism is easily justified by our history.

America has always been able to survive and thrive, and America remains the greatest nation in the history of the world. If we keep on being Americans, we will remain the greatest nation on the planet.

Thank you, Madam President.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Pennsylvania.

TRIBUTE TO PATRICK J. TOOMEY

Mr. CASEY. Madam President, I rise to offer some remarks about my colleague from Pennsylvania, Senator TOOMEY.

I think you can tell from his presentation today what he holds most dear, and, of course, that is his family—both Kris, his wife, and his children—and I am so happy that he is going to be able to spend more time with them.

I thought I would offer some remarks about his service as well as the ways that we have worked together. Let me start with the basic assertion which Senator TOOMEY made reference to that he and I didn't agree on much. And I think it is probably—I am not going to speak for him, but I kind of am in this moment. I am not sure he wanted to be caught dead agreeing with me on some issues, and that is just the way it works around here.

But one thing we tried to do from the opening day that he got here in January of 2011—I had been here a few years at that point—was we tried to—and I think we were successful over 12 years—have a kind of mutual respect, which is easy to articulate and harder to effectuate, and it requires both sides to give and take. And I am grateful that we were able to do that together.

There are a lot of ways in the Senate, as is true in the House or any other legislative body, even when you are from the same State, to kind of poke each other on a regular basis. We refrained from that. It didn't mean we were praising each other's legislative result or point of view, but we tried to demonstrate that basic mutual respect and not to try to undermine each other.

As Senator TOOMEY outlined, I think the manifestation of the work we did together—or maybe the most evident manifestation of that—was the work we did on Federal district court judges. As everyone knows who follows the work of the Senate, Senators make recommendations to an administration about who should serve on the district courts in their State. In our State, we have an Eastern District, a Middle District, and a Western District. Depending on which month or year you are in, you have vacancies in each of those Federal districts throughout the State. And if you want a judge or a candidate to be a judge to advance, you have to work with your colleague.

Now, it is a little easier when you have two Democrats and two Republicans. It is more challenging when you have a split delegation in the Senate. But we worked together. And as Senator TOOMEY made reference to, we vetted and then advanced for nomination and then saw through the confirmation of 33 Federal and district court judges in 12 years.

He mentioned that it was the third highest other than California and Texas. But what is noteworthy about that—really significant, I believe—is that it was from a split-delegation State. The two States I just mentioned didn't have that split. So it is a singular achievement that we should both be proud of. But, as he also indicated, our staffs deserve the lion's share of the credit. They had to do so much work in making sure that those nominees were vetted and could be advanced.

So I am grateful for that work that he did with me and with our office for the State of Pennsylvania. And, PAT, I can't thank you enough for the work we did together on Federal district court judges.

We also worked together most recently, the last couple of years, on some nursing home reforms—maybe, more particularly, the oversight that the Federal Government provides with respect to nursing homes when you have a program—they call it the Special Focus Facility Program—where the intent of that program is to focus on the poor-performing nursing homes.

But we did an investigation where we saw that there are some nursing homes that were not quite on the list that they should have been on and weren't getting that kind of special focus of attention. I also worked with Senator TOOMEY on that nursing home legislation.

So on a range of issues important to Pennsylvania and important in the Nation, we tried every day to, when we were at our best, work well together.

I especially appreciate what he had to do not just as a Member of the Senate but, in this case, in the early days of 2021 as a Republican Senator when he had two big decisions to make. He had a decision to make on January 6

about how he would vote on the certification question; and he, in my judgment, voted the right way and, I think, voted in a way that was courageous.

And then just a few weeks went by and there was the impeachment proceedings here in the Senate for the then-former President, and that was maybe an even more difficult vote, to cast the vote that he cast in that impeachment proceeding.

Both votes were exceedingly difficult for any political figure, for any member of a political party at any time in history. And it was a very difficult time, I am sure, for him to cast those votes. But he did because he wanted to advance the interests of democracy and he wanted to advance the concept that we claim to hold dear, which is the rule of law and upholding the rule of law.

And I can't imagine a more difficult set of votes so close in time for any Senator, and I am grateful that he voted the way that he did. And I know the people of Pennsylvania were grateful.

So on so many fronts, I said—recently, we had a gathering of Pennsylvanians. On so many fronts, even when we didn't agree on big issues, we were able to come together on some Pennsylvania priorities as well as issues that related to the Federal judiciary.

One thing that I think we are in agreement on and have always been in agreement on is both of us, in our personal capacities, married way above our class. I married above my class when I married Terese, and I think the same is true of PAT when he married Kris. We agree on that, right? We do. OK.

I am happy for PAT TOOMEY and Kris and their children, but I will miss working with him and serving alongside him. As he said, it is a privilege to serve in this institution, and he served this institution and the people of our State with honor and with distinction.

I yield the floor.

The PRESIDING OFFICER (Mr. WARNOCK). The Senator from Maine.

Ms. COLLINS. Mr. President, when it was reported a few years ago that Senator PAT TOOMEY had taken up beekeeping, he said this about the appeal of his new hobby:

> When you're in my line of work, you're often dealing with abstractions. It's fun to have something tangible, where you can see the results.

Well, my good friend from Pennsylvania has, of course, produced many tangible results during his 12 years in the Senate. As Senator TOOMEY's service here draws to a close, I rise today in tribute to an outstanding leader who has been as busy and beneficial as those hard-working bees he tends.

PAT came to the Senate in 2011 well prepared for this line of work by his three terms in the House. With his background in the financial services industry and as the owner and operator of a small family business with his brothers, he has been an effective voice for economic growth, regulatory reform, and fiscal responsibility. His respectful demeanor, his integrity, and his commitment to getting the facts have earned him the respect of colleagues on both sides of the aisle. His persuasive and principled arguments often convince his opponents to become his allies.

I always personally looked forward to Senator TOOMEY coming to visit me to discuss a nominee or a piece of legislation. Inevitably, he would arrive with all the facts, all the data, all the quotations, and make his case. He didn't rely simply on rhetoric or an appeal to party loyalty—not at all. His approach was to present a solid case for why I should agree with him, and his track record, I must say, was very good.

Throughout his time in Congress, PAT has focused on creating good jobs for the people in the Commonwealth of Pennsylvania and across our entire country. He knows that America has the best workers in the world, and when they have a level playing field, they can compete with anyone.

Drawing on his expertise in finance, PAT pushed for policies that supported workers and were conducive to the startup and growth of businesses. He played an absolutely essential role in shaping the Tax Cuts and Jobs Act, which reduced the tax burden for American families. He coauthored sections of the JOBS Act, which made it easier for businesses to invest and expand. He has always worked to cut red-tape to help unleash economic opportunities.

There is another side to PAT as well. He is a true champion for those who are vulnerable in our society. I have worked with him on many issues over the years, including legislation to safeguard seniors from financial exploitation, as well as a bill to support 50 million Americans who serve as family caregivers. PAT has led efforts to better protect children from abuse, as well as to prevent animal cruelty.

PAT is a determined leader. He is a leader who seeks bipartisan solutions. After the horrendous and heartbreaking Sandy Hook school shooting in 2012 that took the lives of 26 people, including 20 children, he reached across the aisle to work with another good friend of mine, Senator JOE MANCHIN, on comprehensive legislation to keep firearms out of the hands of criminals, terrorists, and those who are dangerously mentally ill. That initiative laid the foundation for the Safer Communities Act that became law this year. It was a pleasure to serve with PAT on the bipartisan 20- Member working group who forged that landmark law.

PAT, it has been such an honor to serve with you, and I cherish our friendship. I will miss those visits to my office to straighten me out on certain issues and to educate me.

In all sincerity, I really did look forward to those visits because they were always an intellectual exchange, and you always made such a great case.

I wish you, Kris, and your wonderful children all the best. You will be missed.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise to talk about my dear friend PAT TOOMEY. My dear friend from Maine mentioned what we worked on. We worked on many pieces of legislation together, and PAT was always a stalwart.

As far as when it came to financial matters, I think PAT was the go-to person, whether you were a Democrat or Republican, to get his opinion on finances. Basically, whether it be taxes or tax credits or extenders, whatever it may be, PAT would give you an answer, and PAT was accurate.

But I saw a different side of PAT on December 14, 2012, when 26 people were killed in Sandy Hook. Twenty of them were children, 6 and 7 years old. And I saw the heart and soul of PAT TOOMEY.

I knew I had to do something. I couldn't live with it. I come from what we call a very gun-friendly atmosphere, environment in my State of West Virginia. PAT, being my next door neighbor in Pennsylvania, had the same, and we knew that it was difficult. So I decided that I wanted to introduce a bill, but I needed a partner. I needed a true partner who believed. PAT stepped forward, and we had the Manchin-Toomey background check.

It was the beginning. And what drove us was the compassion, PAT's compassion and his heart and soul. This massacre that happened to these children should never have happened. School should be the safest place a child goes and a parent can at least breathe easily. And seeing what they went through—and I think we bonded with all of the parents. We still to this day talk to them, and our hearts and prayers are with them.

PAT was with me side by side to fight the good fight. We came up a few votes short. Looking back on that, that would have been a tremendous beginning many years ago. It could have prevented an awful lot of the senseless, horrific tragedies that have happened, with families losing their children.

With that, my dear friend, I want to say thank you. That was a bill that—I think we did everything in that bill for the right reason. We didn't want to take anyone's guns away from them. We wanted to make sure people could still enjoy the hunting that we grew up with, the sports shooting that we enjoyed—all of the recreational things you do with guns when you come from a gun culture. PAT and I called it gun sense. You just have to have some gun sense. And it is the truth, but we had to educate people.

On the other hand, we were saying we wanted to make sure that—we grew up in an atmosphere where we were taught as young children: You know, you don't sell your gun to a stranger.

You don't even loan your gun to a family member who is irresponsible. That is your prized possession. You are responsible. That is a lethal weapon. You are responsible.

That is how we were raised. We both understood that. But if we were understanding that, then basically we thought, We all had to have permits when we went and bought a gun. We all bought guns and went through background checks, and everybody should. So if I didn't want to sell my gun to a stranger, why should a gun show with loopholes do it? Why should you be able to mail a gun across State lines and do it? Why should that happen?

That is what we were trying to do, is close the loopholes. Make this common gun sense.

PAT, you stood tall. You really did, buddy. And I know it was a tough, tough period of time. But we did the right thing, and we are seeing some changes now. We need more changes. But it is gun sense and common sense but also protecting people's rights. We can do both in America.

We are going to miss you, buddy. We really are going to miss you. You have been something special here.

I met both of your children. I went up and spoke to their school at Harvard, and I just enjoyed it very much. And when they introduced themselves, I could tell right away that they were their mother's children and they had the spirit of their dad. I can tell you that too.

But, anyway, it has been a pleasure calling you my friend, and you always will be my friend. God bless and Godspeed, my friend.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I, too, rise to thank Senator TOOMEY for his distinguished public service. I first got to know PAT TOOMEY back in 2011.

For those who have been around here a long time or at least a medium amount of time, you may remember the budget impasse in 2011 between the House and the Senate. At that time, there were constant threats of government shutdowns. There was, of course, the issue of the debt ceiling.

What finally happened was that a piece of legislation or an agreement was reached that said: We are going to create what was then called a supercommittee to try to work out some of these budget issues, and if the supercommittee did not reach an agreement, then this Rube Goldberg machine would take effect, providing automatic budget cuts both to defense and nondefense spending.

Everybody agreed that having this automatic sequester take place would not serve the best interests of the country and hoped that this supercommittee would be able to come up with a solution.

Senator TOOMEY was new to the Senate then, but because of his great expertise and because of the fact that he was trusted by Leader MCCONNELL, he was appointed as one of the very few people—about three or four people from the Senate—to participate on the supercommittee, and I was appointed by Speaker PELOSI to serve on the supercommittee.

We did not, in the end, succeed in reaching an agreement, but one of the really good things that came out of that supercommittee from my perspective was getting to know and work with PAT TOOMEY. We disagreed on a lot of those issues, and, of course, ultimately the disagreements in the supercommittee overwhelmed our ability to get to some kind of yes. But what I learned during that process was, when you are talking to PAT TOOMEY, you are talking to somebody who is incredibly knowledgeable and presents his perspective very well.

You also found somebody who was trustworthy. PAT TOOMEY never said anything in that process where he went back on his word. He was always very clear about where he stood. Once he said he was for something, he would stick with it, and if he was against it, you would know he was against it.

You also knew he was someone you could trust in terms of confidence because when you are in a situation like the supercommittee—and we worked for weeks. It was a good-faith effort. We worked for weeks. But you have to learn to trust each other because you are talking about different proposals that ultimately would require a compromise, and we all know that compromise can sometimes be very difficult and politically charged.

So during that period of time, I recognized that PAT TOOMEY was someone you could trust. Because of that, when I came to the U.S. Senate, it was a great privilege to work with my by then friend PAT TOOMEY on a range of issues.

Senator TOOMEY talked today about his passion and conviction for expanding freedom. That passion extends to extending freedom to people around the world. We were able to team up on a number of measures to try to do exactly that. One was the Otto Warmbier BRINK Act, which was legislation that has been passed into law to try to make sure that we hold North Korea accountable for its nuclear program and also hold them accountable on human rights. It is named after an American who was mistreated in North Korea and then came home and died.

We worked on that legislation, and, again, it was always a back-and-forth. It was secondary sanctions legislation, which has now been used by multiple administrations to apply sanctions to try to advance our policies to try to denuclearize the Korean Peninsula and bring more pressure on the North Korean regime.

In that same vein, we worked together on the Hong Kong Autonomy Act after we saw China violate its commitments and agreements with respect to Hong Kong. That empowered the executive branch to apply sanctions on officials in China who were participating directly in depriving citizens in Hong Kong of their freedom, and that legislation passed as well.

Now, even in the closing days of this session, we are working together with respect to our efforts to cut off Putin's bank account that funds his war machine against Ukraine by backing up the Biden administration and G7's proposal for the oil price cap, which many have heard more about recently since this just took effect. We believe that in order for it to be effective in the long term, we need to be sure we have global compliance. To do that, that also should be backed up with a measure to provide more teeth and the prospect of sanctions.

I just wanted to come to the floor to say that, PAT, it has been great working with you on these issues. As others have said, we can always disagree, but you know how to disagree agreeably. You know how to argue your point in a respectful manner, and you have found common ground wherever you could. I am grateful.

I said a few good words about PAT TOOMEY the other day that were picked up in the Philadelphia Inquirer, and PAT said: You know, you might have gotten yourself in trouble.

I said: I have probably gotten you in just as much trouble. Of course, you are now stepping down after 12 distinguished years.

But that is the kind of trouble we should all be willing to get into, working together for the good of the country and the people of our States.

PAT, to you and Kris and your three children, as you leave here, we give you all our very best wishes, and I know and I am confident you will remain engaged in the public debate going forward. But you have earned this departure from the United States Senate. Thank you for your distinguished service to the people of Pennsylvania and to the people of the United States of America. Godspeed.

The PRESIDING OFFICER. The majority leader.

JAMES M. INHOFE DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2023—Resumed

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate resume consideration of the message to accompany H.R. 7776; that notwithstanding rule XXII, it be in order to make motions to concur with the following amendments: Sullivan, 6522; Johnson-Cruz, 6526; that if Senator SULLIVAN makes the motion to concur with amendment, there be up to 60 minutes of debate equally divided between the two leaders or their designees; that upon the use or yielding back of the time, the Sullivan motion and motion to refer be withdrawn; the Senate vote on the motion to invoke cloture on the motion to concur with Manchin amendment 6513; that upon

disposition of the motion to concur with the Manchin amendment, the Senate vote on the motion to concur with the Johnson amendment; further, that if none of the motions to concur with amendment are agreed to, the Senate immediately vote on the motion to concur; that there be 2 minutes for debate equally divided between the votes; and that with respect to the Johnson motion and the motion to concur be subject to a 60-affirmative vote threshold for adoption; finally, that if the motion to concur is agreed to, the Senate proceed to the immediate consideration of H. Con. Res. 121, which is at the desk; that the concurrent resolution be considered and agreed to, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

MOTION TO CONCUR WITH AMENDMENT NO. 6522

Mr. SULLIVAN. Mr. President, I move to concur with a further amendment, No. 6522, to the message to accompany H.R. 7776, and I ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alaska [Mr. SULLIVAN] moves to concur in the House amendment to the Senate amendment to H.R. 7776 with an amendment numbered 6522.

The amendment is as follows:

(Purpose: To amend the Camp Lejeune Justice Act of 2022 to appropriately limit attorney's fees)

At the appropriate place in subtitle G of title X of division A, insert the following:

SEC. 10___. PROTECT CAMP LEJEUNE VETS.

(a) SHORT TITLE.—This section may be cited as the ''Protect Camp Lejeune Victims Ensnared by Trial-lawyer's Scams Act'' or the ''Protect Camp Lejeune VETS Act''.

(b) ATTORNEYS FEES IN FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE, NORTH CAROLINA.—The Camp Lejeune Justice Act of 2022 (28 U.S.C. 2671 note prec.) is amended—

(1) by redesignating subsections (h), (i), and (j) as subsections (i), (j), and (k), respectively; and

(2) by inserting after subsection (g) the following:

''(h) ATTORNEYS FEES.—

''(1) LIMITATIONS.—

''(A) GENERAL RULE.—Notwithstanding any contract, the attorney of an individual, or of the legal representative of an individual, may not receive, for services rendered in connection with an action filed under subsection (b) or any administrative action relating to such an action (as described in section 2675 of title 28, United States Code) (in this subsection referred to as an 'administrative claim'), more than the percentage specified in paragraph (2) of a payment made in the action.

''(B) AMOUNT OF PAYMENT DETERMINED AFTER OFFSET.—For purposes of this subsection, the amount of the payment made in an action shall be the amount of the payment after any offsetting reduction under subsection (e)(2) is made.

''(C) PROHIBITION ON ANCILLARY FEES.—Attorneys fees paid in accordance with this subsection may not include any ancillary fees.

''(2) APPLICABLE PERCENTAGE LIMITATIONS.—The percentage specified in this paragraph is—

''(A) 2 percent for an administrative claim with respect to which a party entered a contract for services on or after August 10, 2022; or

''(B) 10 percent for—

''(i) an administrative claim with respect to which a party entered a contract for services before August 10, 2022;

''(ii) a resubmission of an administrative claim after the denial of an initial administrative claim, without regard to the date on which the party entered the applicable contract for services; or

''(iii) a judgment rendered or settlement entered in an action filed under subsection (b).

''(3) PENALTY.—Any attorney who violates paragraph (1) shall be fined not more than $5,000.

''(4) TERMS FOR PAYMENT OF FEES.—Any judgment rendered, settlement entered, or other award made with respect to an action filed under subsection (b) or an administrative claim shall provide that—

''(A) the Government may not pay attorneys fees to an attorney directly; and

''(B) attorneys fees shall be payable to the attorney by an individual, or legal representative of an individual, after the individual or legal representative receives the amounts payable under the judgment, settlement, or award.

''(5) DISCLOSURE.—

''(A) IN GENERAL.—Any judgment rendered, settlement entered, or other award made with respect to an action filed under subsection (b) or an administrative claim shall require disclosure to the Attorney General or to the court of the attorneys fees charged to an individual, or the legal representative of an individual.

''(B) REPORTING.—The Attorney General shall collect the disclosures under subparagraph (A) of attorneys fees charged and submit to Congress an annual report detailing—

''(i) the total amount paid under such judgments, settlements, and awards;

''(ii) the total amount of attorney fees paid in connection with such judgments, settlements, and awards; and

''(iii) for each such judgment, settlement, or award—

''(I) the name of the attorney for the individual or legal representative of the individual;

''(II) if applicable, the law firm of the attorney; and

''(III) the amount of fees paid to the attorney.''.

(c) UPDATE OF REGULATIONS.—The Secretary of Veterans Affairs shall amend section 14.636 of title 38, Code of Federal Regulations, and any other relevant regulations, to comply with the amendments made by subsection (b).

Mr. SULLIVAN. Mr. President, I am really working hard with my colleagues here—I see Senator DURBIN has come to the floor—to make a law that we all know is the right thing to do.

In fact, in my 8 years in the U.S. Senate, I don't think I have ever been involved with a matter that more desperately cries out for a just resolution to a simple issue. And it is this: Do we, as the U.S. Senate, want to help sick U.S. Marines and their families, or do we want to allow a legislative bill that continues to further enrich trial lawyers in America? That is the question. That is the law I am working hard with many of my colleagues to make happen.

And I think everyone knows the answer. Everyone in this body knows what the right thing to do is. Every American watching knows what the right thing to do is, and that is to help the brave Marine Corps heroes and their families who have sacrificed for decades to serve our Nation.

I have spoken to many of my colleagues, many of my Democratic colleagues in particular, and I know in their hearts that they also recognize we need to fix this problem.

So what I am asking my colleagues to do, particularly my Democratic friends, is this: Help me fix it.

Now, I want to say something. You are going to need a little courage, like the marines that we are helping. You have a constituency that really does not like my legislation: the trial bar of America. We know they are very powerful. We know that most of my colleagues don't ever want to cross them, and they certainly don't want my bill to pass.

But, again, I ask my Democratic colleagues: Have courage. Do the right thing. Work with me on fixing this problem.

So what is the problem?

Well, I have spoken on the floor about this problem, usually in angry tones because it burns me up. And any American watching who understands this, almost immediately, it burns them up. And the marines and their families, it burns them up as well.

But to be honest, this afternoon I am really down here more in terms of sadness and disappointment rather than anger. But I am going to explain it once again, and if you are watching on TV or watching back at home, give a call to your Senator and say ''Hey. Fix this injustice.'' This is a real easy, easy issue to fix. Here is the problem.

We, a couple months ago, passed here the PACT Act, which was legislation to help military members who have been sickened by burn pits. This is an issue that I have been focused on my whole Senate career, starting with bipartisan legislation several years ago with Senator MANCHIN, Senator KLOBUCHAR. So that was good. Important. Expensive, but important.

We have got to take care of our veterans and our military. To me, that is the No. 1 priority we should be doing here in the Senate, which is why a provision of the PACT Act—to provide compensation for marines who were sickened by contaminated water at Camp Lejeune—was also considered in the PACT Act. That was important. We should do that for these marines and their families—marines serving in the 1970s, 1980s at Camp Lejeune.

So far, so good. That is what has happened.

But as the legislation of the PACT Act and the Camp Lejeune marines compensation act—it started to become clear something reared its ugly head, and what reared its ugly head

was the legislation was more of a gift to America's trial lawyers than it was to sick marines.

Now, we have all seen these ads. As a matter of fact, this morning, on the radio, I heard a couple of them already. You can't go anywhere, turning on the TV, without a lawyer asking marines to call to get them to help under this Camp Lejeune compensation act. Here we are. We have seen it. Everybody has seen it.

We had a VA hearing about a month ago. I asked the VA, How much do you think trial lawyers have been spending? This is a month ago. They estimated well over a billion dollars a month ago. A billion dollars. A billion dollars.

Do you think that $1 billion is going to go to sick marines and their families? It is not. It is not. Now look, I don't blame the marines who are dialing these 1–800 numbers. They are getting bombarded. If they are sick, they think this is the way they are going to get cured and get their money.

That is not the case. A lot of these are scams, and we know it. A lot of these are scams. The problem right now is if a marine calls one of these numbers, there is no limitation on what the trial lawyer representing the marine can take out of the marine's award. No limitation, no cap on contingency fees, no cap on anything.

And here is the real problem. Everybody saw this problem coming; that is, as opposed to the marines getting compensation for being sick, the trial lawyers of America would be enriched. Everybody saw it coming. And to their credit, the Biden administration saw it coming. So the Justice Department of the Biden administration had recommended in their technical assistance to us here in the Senate that there should be caps on these awards for trial lawyers. Makes sense. This is the Biden administration Justice Department—friends of many of these law firms, but they knew it was the right thing to do. They said 10 percent caps on contingency awards and 2 percent for filing fees. That was the Biden administration's recommendation.

Now, that didn't happen. I won't go into all the bloody, gory details, but as we tried to amend the PACT Act, we wanted an amendment to do that. The Biden administration did, the veterans service organizations did because it was pretty simple. If there is a cap on fees for the lawyers, the marines are going to get more; if there isn't, the trial lawyers are going to get more. We worked it hard.

Unfortunately and sadly—really sadly—my Democratic colleagues blocked all those amendments when we tried to pass the PACT Act.

So what has happened? What the Biden Justice Department predicted, what we all predicted, it is happening. Billions of dollars of ads—see them every day, hear them every day and every night, and marines getting crumbs and trial attorneys getting rich. That is just not right.

There is not one Senator who knows that that is the right thing to do. This is an injustice right now in America, and already some marines have lost money because of these scams. Some of these firms are promising big paydays. Of course, they are asking for money upfront. A recent media story highlighted a marine in Kentucky whose face was actually used in an ad claiming he had received a $35,000 settlement. In fact, he told a reporter he got 35 cents, OK? That is not justice.

So, of course, right now the VA, local governments, veterans groups are frantically trying to warn marines and their families: Hey, don't listen to that, and, Congress, please help us. There are reports that some law firms are charging 50 or 60 percent contingency fees. Are you kidding me?

The veterans groups, the VA itself, the Biden administration VA, are crying out for help—help—no more scams.

Here is what the American Legion said at a recent meeting in a resolution they had passed:

> WHEREAS, Predatory law firms charging exorbitant fees have engaged in aggressive marketing campaigns [hurting veterans]. . . . The American Legion urges Congress to provide the necessary oversight [for] the implementation of the Camp Lejeune Justice Act to ensure veterans receive fair compensation.

That is the American Legion.

I am a member. The VFW has also come out in support of what we are trying to do. So this should be simple. This should be simple.

So what does my bill do? What does my amendment do? I am going to explain it briefly here. The full name of my amendment, my bill, is the Protect Camp Lejeune Victims Ensnared by Trial Lawyers Scams Act, the VETS Act for short. And it is pretty simple. First of all, it just goes back to what the Biden administration had recommended in terms of a cap. Everybody here agrees there needs to be a cap on contingency fees.

They had mentioned 10 percent, as I mentioned, on contingency fees and a 2-percent cap for filing the necessary paperwork.

Now my good friend, the Senator from Illinois, the chairman of the Judiciary Committee, Senator DURBIN, respectfully, I think he is going to speak and say: Well, wait a minute. The normal fee is 33½ percent, one-third contingency fees. That is actually correct.

But this isn't a normal fee. The reason the Biden administration has a low contingency fee at 10 percent is that the lawyers who are going to receive and help marines get these benefits aren't going to go through big trials. They are not going to go through discovery. It is almost an administrative procedure process to check some boxes. The government doesn't even have a defense in this. So that is why 33⅓ percent, the standard fare for contingency fees, has no place in this legislation—no place in this legislation. This is a government administrative process that is going to be made easy, supposedly, in the bill for marines—sick marines to recover compensation and their families.

So when you hear talk about: No, no, it has got to be one-third. That is just not true.

The Biden administration recommended 10 percent. So don't be fooled by that. Americans watching, don't be fooled by that.

So here is another thing.

That is the key to my legislation. The other thing we are saying is because the compensation will come out of other benefits that the veterans receive from the VA, we make sure that the contingency fee is based on the net award, not the total award. Again, that is to serve the marines and their families, not the trial lawyers.

Let me give you one final thing my legislation does, and I don't think there is any Senator who disagrees with this. And I am pretty sure the chairman of the Judiciary Committee does not disagree with this. Somehow, in the VA-implemented regulations on the implementation of this legislation, they issued a reg that makes sure that trial lawyers get paid before the sick marines and their families.

They what? Yes, right now. Now that is crazy. Everybody, including lawyers, knows that the client gets paid and then the client pays the lawyer. It shouldn't be the lawyer gets paid and then the client gets paid. That is crazy, especially if the client is a sick U.S. marine. And I even think my colleague Senator DURBIN agrees with that. So that is the other piece of this legislation.

We could fix that overnight by having the Secretary of the VA take a relook at that reg and say: Hey, that is wrong. Let's rescind that. I would welcome if Secretary McDonough would do that.

Well, I am going to keep fighting for this issue. This is an urgent issue. Payments under the Camp Lejeune Act will start early next year. The ads that we saw that I showed you here are likely to intensify over the holidays to try to ensnare even more marines into these schemes.

But here is what I am going to do: I am going to withdraw my amendment. I am not going to force a vote on this amendment this afternoon because I want to get to a law, and I had a feeling that unfortunately my amendment was not going to get passed in this Senate on this vote this afternoon.

So I want to work with Senator DURBIN, Senator BLUMENTHAL, other Members on the other side of the aisle to do what we all know is the right thing—to pass a law that emphasizes what we all thought the bill was doing in the first place in the PACT Act, to take care of sick marines and their families and not enrich trial lawyers.

Again, I urge my colleagues to work with me. Like the U.S. marines, have courage to stand up to powerful interest groups who are trying to take more money from individuals who deserve it.

Work with me on this. It is the holiday season. Let's give the marines and their families the gift that they deserve and have earned through courage and sacrifice, not the lump of coal and breadcrumbs, which is the result of this bill that dramatically focuses on enriching trial lawyers at the expense of the U.S. marines. I am committed to work all weekend, all next week, but we need to get this done before we finish this Congress at the end of the year.

Every American knows it. Every U.S. Senator knows it. It is the right thing to do, and I certainly hope my colleagues are going to work with me to make it happen.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. Mr. President, at the outset, let me thank my colleague from Alaska for his service to the United States of America and the Marine Corps, and let me thank all the women and men who serve in the Marine Corps and all our branches of military service. We owe them a great debt of gratitude, and we certainly owe them justice.

What is at issue here is the discovery that the water that they were drinking while they were training at Camp Lejeune was poisoned, and it was endangering the health of the marines and their families. For years, they sought compensation and protection and failed. And just this last year, we passed the PACT Act. Under that provision of law, it finally gave a cause of action to these marines and their families to recover for the damages they had suffered because of this poisonous water at this U.S. Government facility training camp at Camp Lejeune. I voted for that, proudly. It was a strong bipartisan rollcall, as it should have been. But let me make sure you understand and everyone listening understands what these marines who believe that they have been damaged by this poisoned water—this contaminated water—have to go through now to recover even the first dollar.

The first instance is, they don't receive it automatically. The Senator from Alaska continues to refer to the Biden administration's standards of 2 percent and 10 percent and so forth. He is quoting from a hypothetical that dealt with the Compensation Fund, not what we passed here in the U.S. Senate.

The Compensation Fund is like for 9/11 victims. We understand those cases. It wasn't a question of the victims going in and proving that 9/11 actually occurred or that their loved one was killed. It was almost an automatic thing that you qualify for. So the low contingency fees which he quoted was for a hypothetical approach which is not the law.

What is the law today?

What if my father or someone in my family—my son—had gone through training at Camp Lejeune in the period of time that is affected by this? How do they recover? There are two avenues to recovery. One of them is file a claim with the U.S. Navy, and the Navy can decide that the claim is meritorious and pay it.

But if the Navy does not pay it, the administrative hearing does not result in a payment to the plaintiff, to the claimant, to the marine, the next step is a serious one. It goes to the Federal court, not just any Federal court but the one we designated, the Eastern District of North Carolina.

What happens at that court? That marine now is walking into a Federal courtroom and has to establish a case and prove the liability of the government for his losses.

What does he have to prove? Well, he has to prove causation, liability, and damages.

Have you ever been in a Federal courtroom or walked in there by yourself and seen what happens? I am telling you that it is a humbling experience even for a trained lawyer.

I have been through it, and I will tell you this: I wouldn't want to go through it with something as serious as recovering damages for healthcare costs or injuries to someone dear to me and my family without having adequate legal representation.

What does it cost to get this representation?

Well, there is no requirement that the marines hire a lawyer at all, but if they do, the ordinary course of business says that they are going to pay a contingency fee, which means you don't pay the lawyer upfront. The lawyer basically represents you, and if they recover, then you recover, but if they don't recover anything for your claim, they are emptyhanded as you are emptyhanded. That is the nature of a contingency fee.

The Senator from Alaska came to the floor about 2 weeks ago and raised this issue, and I said: Let's work on this together. I want to say our staffs have worked on it together. I am sorry that we haven't reached an agreement, but here was the proposal that I put on the table and the reason for it.

First, on the contingency fee, if you are just going to go to the Navy and file your administrative claim, we put a cap on the contingency fee, which the lawyer is paid, of 20 percent—20 percent. Where did we get that? From the Federal Tort Claims Act. That is the percentage that is used now under the law. Then we said, if you have to go to a trial in a Federal court, the maximum—maximum—attorney's fee is one-third if you recover. If you don't recover, you don't pay. It is a contingency fee.

Now, the Senator from Alaska has said: Well, let's do 2 percent and 10 percent instead of 20 percent and 33 percent.

So what can you buy for a 2-percent contingency fee or a 10-percent contingency fee? Well, you can probably buy a lawyer who has never tried a case in court. You could buy an attorney whose office is in the trunk of his car. You could buy an attorney who will put the veteran's file at the bottom of the stack because there is so little money involved in it—or you could buy an attorney who will say: My paralegal in Singapore will get back to you later.

That is what you get if you try to get by with 2 percent and 10 percent when, in the ordinary course of business, it is 33⅓ percent. You are doing the veterans no favor by saying that they can't pay any more than a 2-percent contingency fee if they can't find a good lawyer, and I am sorry to say you won't find a lot of good lawyers at a 2-percent contingency fee. That is just the reality.

We went to the Senator from Alaska and said: We will cap the contingency fees: 20 percent for an administrative case and no more than a 33⅓-percent contingency fee if the case goes to trial.

Then we went further. He raised a point that I think is a valid point: How does a marine know he is going to get paid? We think the lawyer will be paid, but will the marine be paid if there is a verdict or a settlement? We put in language that said, definitely, the marine has to be the first paid. We offered that to the Senator from Alaska.

We went further. There is a bill pending before the U.S. Senate—a bipartisan bill. Senator BLUMENTHAL of Connecticut and Senator BOOZMAN of Arkansas, a Republican, have come up with a bill that says: Those people who are ripping off veterans—unaccredited groups that are ripping off veterans—by making them pay fees to collect the benefits they are owed by law ought to be criminally liable. There is a criminal fine in that bill.

So those are the three things we offered to the Senator from Alaska. It was not that he would go away emptyhanded but that he would get a result and get that result in a timely way. We made that offer over the last 2 weeks. He did not accept it. I wish he had.

I am still going to work with him to reach that goal so that we can make sure that all men and women who are affected by the Camp Lejeune contaminated water get compensated with competent attorneys who can represent them in court effectively and recover for them. We are doing them no favor if we limit the contingency fee and they can't hire a competent attorney. That is the maximum amount, 20 and 33, but it is certainly within the realm of ordinary practice.

So I would say to the Senator from Alaska that the offer I made 2 weeks ago I make to you again now. Let's fix this problem. Let's not trade speeches on the floor of the Senate. We both feel intensely about our points of view, but we share one common value that, I think, we ought to make very clear here: We want these marines to be compensated. That is why we passed the PACT Act. We want to do it in a way that they are not exploited. I

abhor those attorneys or even those who are not attorneys who are trying to exploit these individuals.

Let's work together to put an end to that once and for all, and let's do it in a timely way. By the time we get back here to consider legislation, it will be almost February—another 6 weeks or longer—and time will have been wasted.

I would just say to the Veterans Health Administration and to all of the veterans' services organizations: Warn all of those who would be plaintiffs in these lawsuits not to be taken in by anyone who is going to cheat them. Make sure that they are treated fairly. We can do our part too. Let's pledge together to get that done in the new year.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to thank my colleague from Illinois.

He has my full commitment to try to get this done before we leave, and I am willing to compromise on some of these issues. He makes a good point in that, with the Senate's schedule, we are not going to be back here until almost the end of January, and by then, some of these payments will have started to be awarded.

We do not want—and I think the Senator from Illinois agrees with me—situations wherein payments are going by 50, 60 percent to contingency fees. Nobody wants that. We shouldn't want that. That is just unfair. This regulation at the VA is also ridiculously unfair in favoring trial lawyers over sick marines.

So the Senator from Illinois has my commitment. I will work day and night on this issue to try and get it done before we leave—before we leave. Otherwise, you are going to have a lot of marines—sick marines—and their families who are going to get ripped off. We know that that is going to happen, and we shouldn't allow it.

I will work with the Senator from Illinois, as he has got a lot of power as the chairman of the Judiciary Committee, on this important issue that, I think, we should all care about. So I appreciate his comments, and I will redouble my efforts on this topic.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I want to close by thanking the Senator from Alaska—a Republican, a Democrat but committed to the same values—for making sure that these marines and their families are treated fairly.

We currently have 14,000 pending. These marines had 2 years from when we passed the law back in, I believe, June or July to file their claims. There is going to be a mountain of claims involved here, and we have got to make sure that we do it in a thoughtful way and in a timely way that is fair to the marines every step of the way. I will be part of that effort with you, Senator.

ORDER OF BUSINESS

Mr. President, I ask unanimous consent that if the motion to invoke cloture on the motion to concur with respect to amendment No. 6513 is not agreed, the motion to concur with amendment be withdrawn; and that if cloture is invoked, by the use or yielding back of time, the second-degree amendment be withdrawn.

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

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 6513

Mr. MANCHIN. Mr. President, I am here today to speak about a very important piece of legislation we have coming before us, and we have an amendment to that legislation. The legislation, of course, is the National Defense Authorization Act.

This piece of legislation is something that we do annually in order to basically protect our country and be able to defend ourselves and be able to maintain the superpower status that we are. Part of that is what they call energy security, energy independence. You cannot be a superpower in the world if you do not have energy independence, and you can't be secure if you don't have energy independence.

Now, what has happened to us since this horrible war that Putin has bestowed upon the citizens of Ukraine is that he has weaponized energy. We have seen it coming. He has basically doubled down, so he has put Europe in a tremendous bind.

On top of that, we have seen the necessity that we have and the reality of the world we live in. We use fossil fuels, but can we use them cleaner and better? Absolutely. We do it better than anyplace in the world, and we can use it and do more to it.

We have a piece of legislation—a couple of them. We have the bipartisan infrastructure bill that we worked on across the aisle, and now we have the Inflation Reduction Act, the IRA. Those two pieces of legislation are unbelievably unprecedented in our country.

What the IRA does is this, simply: It guarantees energy security. For 10 years, we are going to be able to basically produce fossil energy in the United States of America—more of it, better and cleaner, than at any time in the world—while we are also going to invest record amounts of money into new, clean technology for the future. You can't eliminate one.

People say: Well, my definition on energy and on climate is elimination. I want to eliminate—no coal, no oil, no gas.

Well, you are not living in the real world, and you have just seen that happen.

Our Nation, when we got pinched a little bit by these high prices that people are paying at the pump, we started thinking about removing sanctions from Iran—the most prolific terrorist supporters in the world—and giving them money to continue to do what they do, which is to wreak havoc on the world.

We are also talking about lifting the sanctions on Venezuela, which basically has very little oversight as far as environmental controls, because we needed it. We wanted someone else to do what we wouldn't do, and that is just wrong. It is not who we are as a country.

We can do it. We can lead the world. We are the superpower, and that means we have to produce everything that we have, an all-in energy policy, better than anyplace else in the world.

Now, in order to do that, we passed a piece of legislation that puts us on two paths. You can walk and chew gum. You have to have fossil. Now, if you are doing fossil, which is cleaner—that means carbon capture and sequestration—we put billions of dollars in there for that. On top of that, we put billions of dollars for methane, plugging old wells, abandoned mine lands—we are cleaning up everything. Tremendous.

If you are using the fossil that we use in the United States—cleaner and helping our allies around the world—we have been able to help the climate more than it can ever be helped by anything else. As we develop the new technologies of the world—hydrogen—we can make that all day long.

We are on the verge of doing something unbelievable, but let me tell you, most of it will be for naught because without permitting reform—the United States of America is more litigious than any nation on Earth that has been developed, anyone. It takes longer to do anything here. We have people talking about how they have been trying to get permits for 16 years. Canada, average of 3 years; our friends in Australia, Down Under, 2 to 3 years; us, 5, 7, 10, and more.

This is a 10-year path we have. We have appropriated money in this piece of legislation for a 10-year path.

A lot of the programs we want to do, whether it is building pipelines, whether it is building new transmission lines to carry the energy that we need, whether it is developing new, cleaner technologies, whether it is carrying pipelines that are carrying hydrogen and CO_2, we have all of this that we need, and it is not going to happen, and I just can't believe it.

Here is the thing I can't believe: All of my Republican friends—and I have worked with them, and I know they are upset when politics plays into this, but they are upset about the IRA. We did it through reconciliation. Well, it is the only vehicle we had—the only vehicle we had—to do something that was monumental. And we did that by working with my colleagues on the other side for the last 5 years.

My colleagues on the other side, my Republican friends, have always said: Joe, we have to have more energy. Well, guess what, the IRA is going to put more energy in. The Inflation Reduction Act is going to produce more

oil, more gas, cleaner than anywhere in the world, and we are going to have more energy.

Why did you call it inflation reduction? Because if you have more product, you can reduce the price. It is pretty simple—supply and demand. So we are on that.

They said: Well, we have to pay down debt.

Well, guess what the IRA did. It paid down over $250 billion of debt—the first time in history. For 30 years, we haven't paid down on debt. We did. So we have done so many things, but that seems to be a pretty good thing that is kind of stuck in their craw, and I am ashamed of that. I am afraid of that. And I am basically afraid for our country, that we are going down a path where it is all about the politics and all about the policy.

The policy is, the permitting bill that we have in front of us has been worked. We have worked it, and we have been sitting down and talking for 2 or 3 months. We have talked with our Senators on this side, we have talked with our Senators on the Republican side, and we looked at different things.

We are not basically eliminating any of the review process. We are basically expediting how we do it, and that is all we are asking for. We are asking the courts to expedite when they take this under consideration because of the environment. The environment is near and dear to all of us, and we all have a responsibility.

What we haven't taken into consideration is, if we don't do this, we will not be able to maintain independence, energy independence, which means energy security, which means national security. That is what we are not taking into consideration.

Who are we going to ask to do what we won't do for ourselves? Who is going to come to our rescue? We didn't see the Saudis coming. We didn't say—that didn't work too well. Nothing else is coming on board.

So I had a thing in this bill, and they said: Oh, it is a dirty deal with Joe, the Mountain Valley Pipeline. Oh yeah.

So 283 miles are completed of that pipeline, out of 303. Ninety-three percent is completed. We have a pipeline there that comes out of West Virginia that is a gathering with Southwestern Pennsylvania. It is also Southeast Ohio, the Marcellus Shale. It will put 2 billion cubic feet of gas per day into the market. You need more product in the market. It will backfill in the South and the Southwest. It will also help at Coves Point. You have LNG for all of our allies who are in desperate need of it.

So much is being done, and it has been so politicized. So if you want to know why people are upset, you want to know why they are mad, watch this place operate for a while.

I had a person one time said: JOE, I just can't believe what I see on television.

I said: Oh, you are upset, and you are mad, and you can't believe what you see on television when you are sitting in your nice, comfortable home? Try it from my seat. Try it from this seat, when you have got to play politics day in and day out to do what is right for our country.

If we don't have energy, we are not the country—my little State has given its all. We have produced the coal for the last hundred years that built the ships, built the guns, and built basically everything that we have had, the guns and ships and built America. We are probably one of the most patriotic States in the Nation. We have more people, lost more blood, given more life for the cause of freedom than most any State.

We are willing to do whatever it takes. We do the heavy lifting and don't complain—never have. But yet we try to do something now to produce more energy because the country needs it—oh, you can't put a dirty pipeline in. It is not; it is gas. It is transitional fuel. We need it. You are going to have it for quite a while, so why don't you use it from where you have it? The best supply in the world is right here next door. Yet the politics is being played.

They are afraid that maybe—I am up in cycle in 2024, that this might give me a leverage to get reelected. I have been on the ballot for 40 years. I don't know what is going to happen. I don't know what tomorrow is going to bring. I know what we have before us today. You have an unbelievable opportunity that is not going to happen in our lifetime again.

If we don't pass permitting reform right now—my Republican friends are saying: Oh, don't worry, when we have control of the House, we will be able to have a better deal.

My friends, let me say this: You had from 2016 to 2020. You had a President who was a Republican. The House was Republican. The Senate was Republican. You only had one vote for permitting reform, and that was mine as a Democrat—nobody else. Now we are going to have a supermajority of Democrats who are willing to move forward and maybe not be all comfortable about it, but it is the right thing to do, and now, because of politics, my friends aren't going to step to the plate? That is what they don't like. That is what people don't like. That is the politics that basically is destroying our country. You can't have it.

So I come before you to ask for your support on a piece of legislation. There is so much good that we can do. We can fix the mistakes that we have made. But you can't do it if you don't have the energy to provide the citizens of your country to have the opportunities to defend themselves and be able to help our allies around the world. We will not maintain superpower status, I can assure you, if that can't be done.

This piece of legislation, without the permitting—we have been able to do so much in the bipartisan infrastructure bill, the Inflation Reduction Act, and now having this—to be able to put it into operation is something that is desperately needed.

So, with that, I can only say that I pray to the Good Lord that we can put our politics aside and look at what is needed and go back home and tell the people this was absolutely—it is a win for everybody. It truly is a win for everybody.

This is something that I don't know how we can explain it if we vote against it. I don't know how we wouldn't vote for it. It is something we have all wanted.

Let me make one more point. All 50 of my Republican colleagues have signed on to a piece of legislation which is permitting—with my colleague from West Virginia—which is permitting reform, all 50. They know it needs to be done.

Now, if you are going to let the perfect be the enemy of the good, you are going to say: Well, it is just not good enough. Is it 50 percent, is it 70 percent better than what we have ever had? Is it moving in the right direction? Does it build a foundation? Does it give you something to work off of? I believe it does because you have had tremendous amount of input.

That is all I am asking for. I am asking for a fair evaluation of a piece of legislation that will not pass through these Halls again.

So with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MARSHALL. Mr. President, certainly the chairman of the Energy and Natural Resources Committee and I agree on so many goals when it comes to American energy. We both believe in American energy independence. We believe in affordable clean energy. We agree that we want to leave this world cleaner, healthier, and safer than we found it. But unfortunately I oppose his amendment and ask my colleagues to oppose it as well.

I am afraid this amendment will do more harm than good. It will give the Federal Energy Regulatory Commission—FERC, as it is known—the power to socialize the cost of new high-voltage transmission lines. That is right—a huge shift of power will go from the States to the Federal Government.

Unelected bureaucrats would have the authority to make electric customers in mostly red States pay to deliver expensive and intermittent energy that fits the green energy dreams of blue States and in many cases causes rural America to pay for urban America's electricity. It would even give Federal regulators the authority to make residents of inland States pay for transmission lines that connect offshore wind farms to coastal States, such as California, New Jersey, and New York. It would allow these same regulators to make our residents pay for these transmission lines even if power on those lines would not serve them.

While this transportation of wind and solar electricity fits their social agenda, let me remind everyone that the

cost of transporting this electricity is approximately 10 times more than transporting enough clean natural gas to produce an equivalent amount of electricity. We need not only clean energy, we need affordable energy.

This is why Republican attorneys general from across the Nation and the nonpartisan National Association of Regulatory Utility Commissioners strongly oppose this amendment. These expert public officials pleaded with us not to go down this road in September. They remain opposed to Senator MANCHIN's latest draft.

In a December 12, 2022, letter, the attorneys general state that they ''write to again express strong opposition to the renewed attempt to make sweeping changes to the Federal Energy Regulatory Commission's authority.'' They go on to say that the Manchin amendment ''guts states' traditional authority over energy and land use policies.''

Let me say that again. They go on to say that the Manchin amendment ''guts states' traditional authority over energy and land use policies.''

They tell us that the amendment does little, if anything, to address the concerns they raised in September. In their December letter, the public utility commissioners say Senator MANCHIN's legislation ''eliminates the last vestiges of states' electric transmission sitting jurisdiction.'' This is simply bad policy.

Another issue is the damage the amendment would do to the efforts to develop hydrogen as an energy source. It would choke hydrogen pipelines under a mountain of regulation.

The final text of this amendment only saw the light of day just a week ago. The amendment has not been the subject of any debate in committee. We have had no hearings, no witnesses, and no markups. Changing the complex Federal Power Act and Natural Gas Act during a lameduck session without any opportunity for meaningful public input is a recipe for disaster. This is no way to make changes to complex laws.

Finally, Senator MANCHIN's amendment does nothing to address the problem of never-ending environmental litigation. We both represent proud energy States: West Virginia, a great coal State; Kansas, oil, gas, wind, solar. But it seems like there is never an end to the environmental litigation challenges we have. Nuisance lawsuits block energy projects from moving forward, driving up the cost to consumers. This is an issue that needs to be addressed.

I look forward to working with my colleague and with the chairman this next Congress through regular order to enact changes to laws that will actually speed energy projects of all kinds.

We must enable Federal permits for energy projects to be more durable. We must ensure that Federal permitting is evenhanded. We must rein in the endless and often federally funded litigation that is killing projects. Senator MANCHIN's amendment addresses none of these problems.

The Senate should reject this amendment. We should work together under regular order. We should enact real and effective permitting reform in the next Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I need to respond to that. I wasn't intending to do so, but I want to clarify that, and I would hope my good friend would listen to my clarification because it is in the bill.

And either someone maybe had not informed you, sir, but, basically, that can't be done, what you said. I can't charge you in Kansas if the line passes through Kansas and you don't benefit from it. If there is no improved reliability, if it didn't reduce congestion, if it didn't reduce or lower power losses, if it wasn't greater carrying capacity, if it didn't reduce operating reserve—all of these that you have to have benefit to have any cost. We made that in the bill. We were very, very correct.

You know who brought that to me? Senator CRAMER, our good friend from North Dakota, my Republican friend from North Dakota. He said: Joe, you can't do that.

Now, the other thing is, you were saying that, basically, the States lose all their rights. Again, Senator CRAMER said: Joe, you have got to at least have 1 year. I said: It makes sense to me.

Now, let me tell you what happens. If there is new energy coming into the market, wherever it is coming from, new transmission lines coming in, if that line is going to come into a State and the State thinks it is invading its territory—because most of all of the utilities have monopolies on their grid system, correct? They all have monopolies. They don't want anyone infringing on that.

Well, guess what? They all have great relationships with the public service commissions. If the public service commission is saying: OK. Who wants to come in here?—and they are coming—and they say: Let's sit down and talk.

Now, if the person who is already there—let's say you have your own power company and you have the utility lines or the grid system, and you say: I am not going to expand. I am not bringing any more power because I am not going to develop over here. It is not profitable for me.

Then they have got to make a decision, your PSC. Now, if you all can't agree in 1 year and it is something of national interest, then it can move.

But think what would happen if Dwight Eisenhower, building the interstate highway system—from, I think, your part of the world—the great general, the great President, OK. This would have never happened. He would have never built the interstate system. How about the interstate pipeline system? We would have never had the energy we have today.

All we are asking for is the opportunity to bring energy to the market where it is needed. That is all.

And then when you said: Well, it is going to be a litigious nightmare—that is what we tried to work through, and we did that. You know why? We basically put deadlines. We set firm deadlines for permitting decisions: 2 years for environmental impact statements, 1 year for environmental assessments. That is a tremendous improvement from where we have been. Then we basically put enforcement. We have stronger enforcement than any other permitting reform law passed ever in the United States of America.

It lets project developers seek a court order. So if you are trying to get something and you are being held up, then you have, basically, the expedited right to go to the court and to have expedition. You don't have that now.

To me—I have heard people say: Just that right there allows me to make a decision whether I stay with the program or get out of it, if I am going to do a project or not, without losing my rear end and going bankrupt.

We have answered every question that we possibly could. It is the most advanced, bipartisan bill we could ever get and still have the support we need. All we need is your support, sir.

I call for the vote, Mr. President.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, the Sullivan motion is withdrawn, and the motion to refer with instructions is also withdrawn.

There are now 2 minutes equally divided before a vote on the motion to invoke cloture on the Manchin motion to concur with amendment.

Mr. SCHATZ. I yield back.

Mr. MANCHIN. I yield back.

The PRESIDING OFFICER. That time is yielded back.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes with amendment No. 6513.

Charles E. Schumer, Joe Manchin III, Jon Tester, Martin Heinrich, Thomas R. Carper, Brian Schatz, Amy Klobuchar, Kyrsten Sinema, Tammy Baldwin, Richard J. Durbin, Christopher A. Coons, Sheldon Whitehouse, Angus S. King, Jr., Sherrod Brown, Michael F. Bennet, Christopher Murphy.

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

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 7776, a bill to provide for improvements to the rivers and harbors of the United States, to

provide for the conservation and development of water and related resources, and for other purposes, with an amendment, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 47, nays 47, as follows:

[Rollcall Vote No. 394 Leg.]

YEAS—47

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Brown	Kelly	Schatz
Cantwell	King	Schumer
Capito	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Luján	Smith
Casey	Manchin	Sullivan
Collins	Murkowski	Tester
Coons	Murphy	Toomey
Cortez Masto	Murray	Van Hollen
Durbin	Ossoff	Warner
Feinstein	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Portman	

NAYS—47

Blackburn	Hoeven	Risch
Booker	Hyde-Smith	Rounds
Boozman	Inhofe	Rubio
Braun	Johnson	Sanders
Cassidy	Kaine	Sasse
Cornyn	Kennedy	Scott (FL)
Cotton	Lankford	Scott (SC)
Cramer	Lee	Shelby
Crapo	Lummis	Stabenow
Daines	Markey	Thune
Duckworth	Marshall	Tuberville
Ernst	McConnell	Warnock
Fischer	Menendez	Warren
Graham	Merkley	Wicker
Grassley	Moran	Young
Hawley	Paul	

NOT VOTING—6

Barrasso	Burr	Hagerty
Blunt	Cruz	Tillis

The PRESIDING OFFICER (Mr. KAINE). On this vote, the yeas are 47, the nays are 47.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, the motion to concur with Manchin amendment No. 6513 is withdrawn.

The Senator from Wisconsin.

MOTION TO CONCUR WITH AMENDMENT NO. 6526

Mr. JOHNSON. I move to concur in the House amendment to the Senate amendment to H.R. 7776 with an amendment numbered 6526.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. JOHNSON], for himself and others, moves to concur in the House amendment to the Senate amendment to H.R. 7776 with an amendment numbered 6526.

The amendment is as follows:

(Purpose: To provide remedies to members of the Armed Forces discharged or subject to punishment under the COVID–19 vaccine mandate)

Insert after section 525 the following:

SEC. 525A. REMEDIES FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR SUBJECT TO PUNISHMENT UNDER THE COVID–19 VACCINE MANDATE.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary of Defense may not issue any COVID–19 vaccine mandate as a replacement for the rescinded mandates under this Act absent a further act of Congress expressly authorizing a replacement mandate.

(b) REMEDIES.—Section 736 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 1161 note prec.) is amended—

(1) in the section heading, by striking ''**TO OBEY LAWFUL ORDER TO RECEIVE**'' and inserting ''**TO RECEIVE**'';

(2) in subsection (a)—

(A) by striking ''a lawful order'' and inserting ''an order''; and

(B) by striking ''shall be'' and all that follows through the period at the end and inserting ''shall be an honorable discharge.'';

(3) by redesignating subsection (b) as subsection (e); and

(4) by inserting after subsection (a) the following new subsections:

''(b) PROHIBITION ON ADVERSE ACTION.—The Secretary of Defense may not take any adverse action against a covered member based solely on the refusal of such member to receive a vaccine for COVID–19.

''(c) REMEDIES AVAILABLE FOR A COVERED MEMBER DISCHARGED OR PUNISHED BASED ON COVID–19 STATUS.—At the election of a covered member and upon application through a process established by the Secretary of Defense, the Secretary shall—

''(1) adjust to 'honorable discharge' the status of the member if—

''(A) the member was separated from the Armed Forces based solely on the failure of the member to obey an order to receive a vaccine for COVID–19; and

''(B) the discharge status of the member would have been an 'honorable discharge' but for the refusal to obtain such vaccine;

''(2) reinstate the member to service at the highest grade held by the member immediately prior to the involuntary separation, allowing, however, for any demotion that was not related to the member's COVID–19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation;

''(3) for any member who was subject to any punishment other than involuntary separation based solely on the member's COVID–19 vaccination status—

''(A) restore the member to the highest grade held prior to such punishment, allowing, however, for any demotion that was not related to the member's COVID–19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation; and

''(B) compensate such member for any pay and benefits lost as a result of such punishment;

''(4) expunge from the service record of the member any reference to any adverse action based solely on COVID–19 status, including involuntary separation; and

''(5) include the time of involuntary separation of the member reinstated under paragraph (2) in the computation of the retired or retainer pay of the member.

''(d) ATTEMPT TO AVOID DISCHARGE.—The Secretary of Defense shall make every effort to retain members of the Armed Forces who are not vaccinated against COVID–19.''.

(c) IMMEDIATE RESCISSION OF MANDATE.—Notwithstanding the deadline provided for in section 525, the rescission of the COVID–19 mandate shall take effect immediately.

Mr. JOHNSON. Mr. President, I ask unanimous consent for up to 6 minutes of debate equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Wisconsin.

Mr. JOHNSON. I rise to offer an amendment on behalf of myself and Senator CRUZ. I want to say I appreciate Senate leadership for allowing this amendment. I appreciate, as does Senator CRUZ, the conferees' willingness to consider or repeal the vaccine mandate, which they didn't include. We truly appreciate that.

This amendment reflects the fact that we don't think the vaccine mandate went far enough. So our amendment is pretty simple, it immediately ends the vaccine mandate, whereas what is in the bill allows it to continue for 30 days.

It prohibits DOD from imposing a future COVID–19 vaccine mandate without the express authorization of Congress. It prohibits DOD from taking any adverse action against a servicemember solely for refusing to get the COVID–19 vaccine.

It allows the servicemember to be reinstated with backpay if kicked out of the military solely for refusing the vaccine. And it redresses any other types of adverse actions the DOD took against a servicemember for refusing the COVID–19 vaccine.

People serving in our military are the finest among us. Over 8,000 were terminated because they refused to get this experimental vaccine, and so I am urging all of my colleagues to support the Senators and my amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I stand in opposition to the proposed amendment.

On August 24, 2021, the Secretary of Defense issued a legal order directive that all personnel in the U.S. forces should be vaccinated against COVID–19. At that point, it was an approved FDA pharmaceutical. It is a legally binding order.

We need a healthy and ready force to defend the United States, and I think we've forgotten where we were before the vaccine. For example, the USS Theodore Roosevelt, one of the most important aircraft carriers in our fleet, and particularly in the Pacific, was effectively put out of commission when 27 percent of her crew were infected with COVID. Hundreds were hospitalized. The carrier had to dock in Guam for 2 months. For 2 months, we did not have the striking power of an American aircraft carrier in the Pacific.

Since Secretary Austin's mandate, we have had no repeat incidents where a naval vessel had to be, essentially, taken out of service, nor in the other services have we seen anything like that.

Mandatory vaccination is not a new issue for military personnel. Servicemembers are commonly required to get

17 different vaccinations when they enter the military or when they deploy to serve overseas areas, including measles, mumps, diphtheria, hepatitis, smallpox, and flu.

In fact, the first mandatory vaccination was ordered by General George Washington for the smallpox during the American Revolution.

The Department of Defense issued the COVID–19 vaccine mandate. It was a lawful order. The department made its expectations very clear, a personnel could take the vaccine or they could request an exemption, but if their exemption was denied and they still refused the shot, they would be discharged.

In the U.S. military, a lawful order is not a suggestion; it is a command. And for those of us who have the privilege of commanding American military personnel, that is the essence of order and discipline in the U.S. military, which distinguishes us from many other services throughout the world.

Ninety percent of our troops are vaccinated because they are putting their Nation, their fellow soldiers, and their families ahead of their personal opinions or personal desires. That is the function of the military, this unswerving dedication to Nation and to following and to protecting their fellow personnel.

What message do we send if we pass this bill? It is a very dangerous one. What we are telling soldiers is: If you disagree, don't follow the order. And then just lobby Congress. And they will come along, and they will restore your rank. They will restore your benefits. They will restore everything. So orders are just sort of a suggestion. They are not.

Let me conclude by this: This is a critical line in the U.S. oath of enlistment.

> I will obey the orders of the President of the United States and the orders of the officers appointed over me.

That is what we are talking about tonight. We must reject this amendment to reaffirm that oath, that commitment, that pillar of American military discipline and order.

Mr. JOHNSON. Mr. President, how much time do I have left?

The PRESIDING OFFICER. A minute and a half.

Mr. JOHNSON. I would argue that it is not a lawful order because the executive order required that the vaccine be fully FDA-approved. In August of 2021, the FDA did something very strange: They extended the emergency use authorization for the vaccine available in the U.S. and granted approval on Comirnaty. But that, to my knowledge—and I have asked repeatedly—none of that has been made available to our members of the service. So it is not a fully FDA-approved product. And the FDA is completely ignoring its own safety surveillance systems on VAERS. There have been over 32,500 deaths reported worldwide. Twenty-six percent of those deaths are occurring on a zero, 1 or 2 following vaccination. There are all kinds of different, scary safety signals that are being ignored. It was not unreasonable for people to refuse this experimental gene therapy.

The PRESIDING OFFICER. Does the Senator yield the remainder of your time?

Mr. JOHNSON. Yes.

VOTE ON MOTION

The PRESIDING OFFICER. The question is on the motion to concur in the House amendment to the Senate amendment with amendment No. 6526.

Mr. JOHNSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 40, nays 54, as follows:

[Rollcall Vote No. 395 Leg.]

YEAS—40

Blackburn	Hoeven	Risch
Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Daines	Marshall	Toomey
Ernst	McConnell	Tuberville
Fischer	Moran	Wicker
Graham	Murkowski	Young
Grassley	Paul	
Hawley	Portman	

NAYS—54

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

NOT VOTING—6

Barrasso	Burr	Hagerty
Blunt	Cruz	Tillis

The PRESIDING OFFICER. On this vote the yeas are 40, the nays are 54.

The affirmative 60-vote threshold having not been achieved, the motion to concur is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that upon the disposition of H. Con. Res. 121, the Senate resume consideration of the message with respect to H.R. 1437; that it be in order to make motions to concur with the following amendments: Scott of Florida amendment No. 6540; Lee amendment No. 6541, as modified with the changes at the desk; that there be 2 minutes for debate between each vote, equally divided between the two leaders or their designees, and the Senate vote in relation to the Scott and Lee motions; that if neither of the motions to concur with amendment are agreed to, the Schumer motion to refer and motion to concur with amendment be withdrawn and the Senate immediately vote on the motion to concur; that the Scott motion and motion to concur votes be subject to a 60-affirmative vote threshold for adoption; finally, that if the motion to concur is agreed to, the Senate proceed to the immediate consideration of H. Con. Res. 123, which is at the desk; that the concurrent resolution be considered and agreed to, all without further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, two quick points. First, I know that our great Senator from Rhode Island who handled this bill so well will speak, but I do want to wish my congratulations to Senator INHOFE, who has been in this body for such a long time and led the Armed Services Committee in both the majority and minority with such fervor and concern for our soldiers and troops. So thank you.

Mr. INHOFE. Thank you.

Mr. SCHUMER. OK. Now, in an effort to move along this evening, I would ask Members to please remain on or near the floor during votes tonight.

I ask unanimous consent that the remaining votes this evening be 10-minute votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

There are now 2 minutes equally divided prior to voting on the motion to concur.

The Senator from Rhode Island

Mr. REED. Mr. President, I have a much longer statement, but I want to briefly rise to express my support for the Fiscal Year 2023 National Defense Authorization Act. I am pleased that we are about to pass it.

First, let me acknowledge Ranking Member INHOFE, whose leadership on the Armed Services Committee and in this Chamber has been monumental.

For more than 20 years I have had the privilege of serving with him on the committee. In turn, we have been chairman and ranking member. And I am honored that this year's bill will be named the James M. Inhofe National Defense Authorization Act.

(Applause, Senators rising.)

Mr. President, I would also like to add my congratulations and thanks to the House Armed Services Chairman,

ADAM SMITH, and Ranking Member MIKE ROGERS. Their partnership was absolutely invaluable to make this moment possible.

Mr. CARDIN. Mr. President, I rise today to note that, during the 117th Congress, several major legislative efforts to further U.S. foreign policy are becoming law, and I would like to highlight several here today. I feel strongly that these accomplishments merit special recognition, as they represent major advances in foreign policy that will improve our country's international engagement for years to come. I am proud to have led these efforts and would like to outline a few of the major components of these monumental bills.

As chair, of the Senate Foreign Relations Subcommittee on the State Department and U.S. Agency for International Development Management, International Operations, and Bilateral International Development, I take great pride to note that we successfully passed the State Department Authorization Act this year. To put this in context, this marks only the second time within the span of the past 16 years that a State Department Authorization Act has been enacted.

The State Department Authorization Act addresses much-needed reform that will help to strengthen our diplomatic corps and efforts on an institutional level and represents months of painstaking coordination. Modern diplomatic challenges require modern solutions, and it is my belief that provisions of this bill empower the State Department to make necessary changes in key areas that will help to revitalize and redefine our diplomatic engagement.

I will note that key to these efforts is my colleague Senator BILL HAGERTY, whose team worked closely with my own, members of the Senate Foreign Relations Committee, and the State Department on defining and addressing modern diplomatic challenges. This act also represents a victory of collaboration across parties and agencies, especially the Department of State, to reach this successful consensus.

First and foremost, Senator HAGERTY and I led the efforts to establish a Commission on Reform and Modernization at the Department of State. This 16-member commission will seek to identify areas for improvement and modernization in the organizational structure, personnel, facilities, and policy of the State Department and make recommendations to the President and Congress.

This effort is crucial; in the ever-shifting atmosphere of modern diplomacy, this commission will provide a body of oversight that keeps a big-picture view of State Department operations and establishes a critical line of communication between Congress, the President, and the Department of State.

Secondly, the State Department Authorization Act establishes new requirements to extend the ''cooling off'' period for post-employment restrictions for certain Senate-confirmed officials. U.S. foreign policy is not for sale, nor should anyone have reason to think it is. By extending the cooling off period from 1 to 3 years, these high-ranking individuals are barred from representing foreign governments before the U.S. Government for a longer period. In doing so, we lessen the risk of perception that Ambassadors and other high-ranking officials will lose sight of U.S. interests in favor of their own near-term financial gain. Again, this important congressional oversight is yet another important step to safeguard the integrity of our foreign policy.

Third, I would like to highlight key advancements we have called for in lifelong professional development at the Foreign Service Institute. We have established a new body, the Board of Visitors, that will serve to offer recommendations to improve and modernize the Foreign Service Institute. The Board of Visitors, along with a new Provost position at the Foreign Service Institute, will work to inject new outside academic and adult learning expertise to better its operations, including the development of an evaluation system to determine how to improve the quality of training and focus it on the areas most useful to better prepare diplomats for the challenges they will encounter in 21st century diplomacy.

Additionally, we identified other professional development areas that will help to improve the State Department's operations on an institutional level. We authorized the State Department to expand the scope and number of external fellowships offered across Departments and Agencies.

These external fellowships, such as the Congressional Pearson Fellowship, which allows Foreign Service Officers the opportunity to work on the Hill for a Member or committee of Congress, expand relationships and knowledge across U.S. agencies and branches, academic institutions, and civil society organizations.

We further sought to expand professional development and trainings to address 21st century diplomacy, expanding virtual opportunities for training and extending out training to partner organizations that can offer specialized expertise for modern diplomatic challenges. In addition, we authorized the State Department to pursue curriculum to better enable Foreign Service Officers to understand the issues of press freedom and tools that are available to help protect journalists, as well as incorporate special training for officers assigned to countries significantly affected by climate change receive specific instruction on U.S. policy with respect to climate resiliency and adaptation.

Lastly, we have authorized the State Department to purse a foreign language incentive pay program that will enable our diplomatic corps to maintain our diplomats' critical language skills so that they can better serve our U.S. interests. Senselessly, in the past, there had been no mechanism to keep our highly trained diplomats up to skill in critical languages such as Chinese, Russian, Dari, and Arabic. Our current system simply trains diplomats in these languages and incentivizes their use while posted abroad, but these incentives disappear when diplomats move on to other positions—and with no incentive in place to maintain their critical languages, these language skills are usually largely lost.

While we have spent significant USG resources enabling our diplomats to engage and further our interests with foreign audiences by teaching them foreign languages, up until now, we have provided no mechanism to enable our diplomatic corps to keep these critical foreign languages skills active.

This new program will strengthen the ability of our diplomats to keep these key languages fresh, which ultimately will save the U.S. Government money by eliminating the need to retrain diplomats in the same language for a second or even third time. It will also provide for a better-prepared diplomatic corps that can be called upon when there is a pressing need for diplomats with specific language skills, such as the urgent call for Dari and Pashto speakers that the Department of State issued during the 2021 fall of Afghanistan. We will now have these diplomats ready when they are needed to best serve U.S. interests.

Finally, I am also proud of our work in this body to hold accountable authoritarian government regimes across the world. For too long, we have seen democratic backsliding, rising corruption, and human rights abuses committed at a global scale. There is perhaps no better example than in Burma, where the military initiated an illegal and unjustifiable coup d'etat in February 2021.

During and following the coup, the Burmese military has engaged in despicable human rights abuses, including extrajudicial killings, torture, and wrongful imprisonment. The military-led government has imprisoned over 11,000 civilians and killed over 1,400, including children. This amounts to crimes against humanity.

We cannot look the other way in the face of these grave injustices. That is why I was proud to introduce, alongside my House colleagues Representatives Meeks and Chabot, the Burma Unified through Rigorous Military Accountability Act, better known as the BURMA Act. This important bill will authorize the Department of State and the U.S. Agency for International Development to support democracy activists, provide humanitarian assistance, and undertake reconciliation efforts in Burma. This will include support for organizations aiding political prisoners in Burma and assistance to entities investigating crimes against humanity.

The BURMA Act also requires the President to impose strict sanctions on Burmese military or government officials, as well as actors that have knowingly operated in Burma's defense sector or have undermined the nation's democratic processes. The United States must continue to stand with the people of Burma and for a civilian-led government based on the recognition of human rights and democratic principles.

To conclude, I am proud of the work we have accomplished in this Chamber during the 117th Congress. By modernizing State Department operations and pursuing an anti-corruption, human rights-focused foreign policy agenda, the United States continues to be at the forefront of global diplomacy.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. First of all, I want to thank the chairman for all the hard work. People don't realize that this is, in my opinion, the most significant vote of the year. It has been one we have been through for a long period of time, and it is necessary, and I like the way it turned out. It is really good.

I am pleased that the Senate is voting today for the fiscal year 2023 National Defense Authorization Act. I have said it before, and I am not the only one saying it: The world is more dangerous than I have ever seen it before in my lifetime. Typically, there is bipartisan agreement on this fact, and that is why this bill has gotten done for 61 years in a row. It is almost always bipartisan, and for this year's bill, that is definitely the case. We have worked together for a long period of time. I have worked closely with my friend Chairman JACK REED, and both of us made sure that that would be the case.

The Armed Services Committee agreed, almost unanimously, to boost President Biden's inadequate defense budget by $45 billion. This additional funding will address record-high inflation rates and ensure that we are able to implement the little blue book that we talk about all the time. It has worked very successfully in the past. It will be working successfully long after I am gone too. So additional funding will address record high inflation rates, and we are ensured that we will be able implement the little blue book the way we have done it in the past.

We need to prioritize defense. It is as simple as that. The NDAA addresses the National Defense Strategy in concrete ways. We need to get this done. We are going to get it done, and we will get it done this evening.

I encourage all of my colleagues to support this year's National defense authorization bill. Let's extend our track record of getting this bill done, and let's show our troops that we love them and that we support them.

I yield the floor.

Mr. REED. Mr. President, I yield back all time.

VOTE ON MOTION TO CONCUR

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

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 83, nays 11, as follows:

[Rollcall Vote No. 396 Leg.]

YEAS—83

Baldwin	Hassan	Reed
Bennet	Heinrich	Risch
Blackburn	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Boozman	Hoeven	Rounds
Brown	Hyde-Smith	Rubio
Cantwell	Inhofe	Sasse
Capito	Johnson	Schatz
Cardin	Kaine	Schumer
Carper	Kelly	Scott (FL)
Casey	Kennedy	Scott (SC)
Cassidy	King	Shaheen
Collins	Klobuchar	Shelby
Coons	Lankford	Sinema
Cornyn	Leahy	Smith
Cortez Masto	Luján	Stabenow
Cotton	Manchin	Sullivan
Cramer	Marshall	Tester
Crapo	McConnell	Thune
Daines	Menendez	Toomey
Duckworth	Moran	Tuberville
Durbin	Murkowski	Van Hollen
Ernst	Murphy	Warner
Feinstein	Murray	Warnock
Fischer	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Graham	Peters	Young
Grassley	Portman	

NAYS—11

Booker	Lummis	Sanders
Braun	Markey	Warren
Hawley	Merkley	Wyden
Lee	Paul	

NOT VOTING—6

Barrasso	Burr	Hagerty
Blunt	Cruz	Tillis

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 83, the nays are 11.

The 60-vote threshold having been achieved, the motion to concur in James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 is agreed to.

The motion was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. REED. Mr. President, I rise to express my support for the fiscal year 2023 National Defense Authorization Act. I am pleased that we have just voted on a wide, bipartisan basis to approve this bill.

First, I would like to acknowledge Ranking Member INHOFE, whose leadership on the Armed Services Committee and in this Chamber has been monumental. For more than 20 years, I have had the privilege to serve with him on the Armed Services Committee, in turn each of us serving as chairman and ranking member. In honor of his well-earned retirement, I am pleased that the committee voted to name this year's bill the James M. Inhofe National Defense Authorization Act.

I would also thank my colleagues from the House Armed Services Committee, Chairman SMITH and Ranking Member ROGERS. Their partnership made this bill possible.

As we enact the NDAA, we must keep in mind that the United States is engaged in a long-term strategic competition with China. Beijing poses a serious potential threat to our national security, as the only country in the world capable of mounting a sustained challenge to our interests.

In addition, Russia has demonstrated its willingness to inflict violence and undermine the global order while states like Iran and North Korea continue to push the boundaries of military brinkmanship. Threats like terrorism, climate change, and pandemics remain persistent.

The interconnected nature of these problems must drive how we transform our tools of national power. The passage of the FY23 NDAA will be a critical step toward meeting these complex challenges.

Turning to the specifics of this year's defense bill. The NDAA authorizes $817 billion for the Department of Defense and $29 billion for national security programs within the Department of Energy. This includes a $45 billion boost to address inflation, accelerate the production of certain munitions, and increase procurement of aircraft, ships, submarines, armored vehicles, long-range artillery, and other resources needed by the services and combatant commands.

The bill contains a number of important provisions that I would like to briefly highlight.

To begin, we have to ensure the United States can out-compete, deter, and prevail against our near-peer rivals. This NDAA confronts China and Russia by increasing our investments in the Pacific Deterrence Initiative, the European Deterrence Initiative, and the Ukraine Security Assistance Initiative. It also authorizes the Taiwan Enhanced Resilience Act of 2022, which is designed to increase our security cooperation with Taiwan.

Importantly, this year's NDAA provides a 4.6-percent pay raise for both military servicemembers and the Department of Defense civilian workforce. It also authorizes funding to ease the impacts of inflation on the force and increases the resources available to support military families.

The bill includes new support for our industrial base to produce the munitions needed to backfill our stocks, while also keeping supplies flowing to Ukraine and other European allies. Moreover, the bill authorizes $1 billion for the National Defense Stockpile to acquire rare earths and critical minerals needed to help meet the defense, industrial, and civilian needs of the United States.

America's capacity for technological innovation has long given us the strongest economy and military on earth, but this advantage is not a given; it must be nurtured and maintained. To that end, this year's NDAA authorizes significant funding increases for cutting-edge technologies like microelectronics, hypersonic weapons, and low-cost unmanned aircraft. Similarly, it increases funding to support U.S. Cyber Command's Hunt Forward Operations and artificial intelligence capabilities.

And, as we navigate threats of nuclear escalation from Russia and increasing capabilities from China, the NDAA enhances our deterrence strategy by helping to modernize the U.S. nuclear triad. It makes progress toward ensuring the security of our nuclear stockpile, delivery systems, and infrastructure; increasing capacity in missile defense; and strengthening nonproliferation programs.

This bill was originally crafted by the Armed Services Committee after a series of thoughtful hearings, discussions, and debates on both sides of the aisle. Through the committee markup process, we considered more than 443 amendments and ultimately adopted 233 of them. Senator INHOFE and I introduced this bill to the full Senate with the intent of adding more amendments on the floor. Although we were not able to come to hold debate on the floor, we were ultimately able to adopt amendments from Senators on both sides of the aisle in the final legislation, including several major authorization bills from other committees.

Over the past several weeks, the Senate and House Armed Services Committees have worked around the clock to come to an agreement on this final version. I am proud of the improvements we made throughout this process, and I was pleased to see the House vote last week in an overwhelmingly bipartisan fashion, 350–80, to pass the bill. We have produced a strong NDAA that both parties, both Chambers, and the President will be able to sign.

I would like to take this opportunity to recognize the phenomenal staff who made this bill possible. There are dozens of staff across the committees and floor who worked tirelessly to bring us to this point, and we are all immensely grateful for their dedication. I will submit each of their names for the record. I want to specifically recognize the director for the Armed Services Democratic staff, Elizabeth King, and the director for the Republican staff, John Wason. They have led their staffs admirably and collaborated with bipartisanship, diligence, and skill.

I would also like to thank members of the Armed Services Committee staff: Jody Bennett, Carolyn Chuhta, Jon Clark, Jenny Davis, Jonathan Epstein, Jorie Feldman, Kevin Gates, Creighton Greene, Gary Leeling, Kirk McConnell, Maggie McNamara Cooper, Bill Monahan, Mike Noblet, John Quirk, Andy Scott, Cole Stevens, Brittany Amador, Patrick Shilo, Alison Warner, Leah Brewer, Megan Lustig, Joe Gallo, Chad Johnson, Jessica Lewis, Griffin Cannon, Brandon Kasprick, Sofia Kamali, Vannary Kong, and, once again, staff director Elizabeth King.

Let me conclude by once again thanking Ranking Member INHOFE, Chairman SMITH, and Ranking Member ROGERS for working thoughtfully and on a bipartisan basis to develop this important piece of legislation.

Finally, I thank my colleagues for voting in favor of this excellent bill.

Mr. INHOFE. Mr. President, after months of deliberating, just like that, the most important bill we work on every year has passed the Senate.

There is an old document that no one reads anymore called the Constitution. It tells us what we are supposed to be doing here: providing for our national defense. That is why Congress has passed a Defense authorization bill for 61 years in a row. This year will be No. 62. I am proud to have been involved in quite a few of those.

Just like prior years, Republicans and Democrats came together and made compromises on the many provisions in this bill. And it is a good thing we did because we face threats like I have never seen before in my life. We have got a bill that addresses many of these threats and helps provide our military with all the tools needed to do their jobs.

This bill includes a significant topline increase and provides a blueprint for where we need to invest to deter China. It fully supports our nuclear modernization program. It also takes the first step to restoring America as the Arsenal of Democracy by expanding munitions production. It includes multiple provisions that strengthen America's frontline partners, including Ukraine and Taiwan. We continue to take care of servicemembers, including by repealing the COVID vaccine mandate and strengthening parents' rights at DOD schools. It is also important to note that we kept poison pills out of the final text that could have jeopardized passage of this critical bill. This is a good bill. It is not the bill I would have written on my own, but I am proud to vote for it today.

Lastly, I would like to thank a few people who put in a ton of work on the NDAA. That starts with Chairman REED, who has been a great partner and friend. I would like to thank the Armed Services Committee staff, who have worked tirelessly to make this bill a reality, including the majority staff director, Liz King.

On my staff, there are many who have had a hand in crafting this bill. They worked the late nights and early mornings to make sure we had a bill to vote on today. First on that list is my Republican staff director, John Wason. John has been serving this country his entire life, first in the U.S. Army, then at the House Armed Services Committee, and now here in the Senate. None of this would be possible without his leadership.

On the minority staff for the committee, I want to thank:

Rick Berger
Scott Richardson
Greg Lilly
Jennie Wright
Adam Barker
Kristina Belcourt
Allen Edwards
Katie Magnus
Sean O'Keefe
Brad Patout
Jason Potter
Brian Slattery
Katie Sutton
Eric Trager
Adam Trull, and
T.C. Williams

On my personal staff, I want to thank:

Dan Hillenbrand
Wendi Price
Kim Cutter
Sarah Klotz
Sofia Rafiq
Mark Powers
Ellen Brown
Jake Hinch
Jake Johnson
Alexandra Slocum
Bennett Crow
Davis Bunn
Laurie Fitch
Lauren Pickett
Whitney Sterling
Isabelle Colleti
Laura Hill, and
Richard Balzano

And the hard-working floor staff:

Robert Duncan
Chris Tuck
Tony Hanagan
Katherine Foster
Brian Canfield
Max Boyd
Maddie Sanborn
Charlotte Ueland, and
Noelle Ringel

I am very grateful for all of their service.

As I finish my time here in the Senate, I can leave knowing that we have done all we can to support our troops for another year and we have succeeded.

DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF THE BILL H.R. 7776

The PRESIDING OFFICER. Under the previous order, H. Con. Res. 121 is considered and agreed to, and the motion to reconsider is considered made and laid upon the table.

The concurrent resolution (H. Con. Res. 121) was agreed to.

FURTHER CONTINUING APPROPRIATIONS AND EXTENSIONS ACT, 2023—Continued

The PRESIDING OFFICER. The pending business is now the message with respect to H.R. 1437.

The Senator from Utah.

Mr. LEE. Mr. President, I ask unanimous consent that the following Senators be permitted to speak prior to

the votes in relation to H.R. 1437: Senator LEE for 5 minutes and Senator SCOTT for 1 minute.

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

MOTION TO CONCUR WITH AMENDMENT NO. 6541, AS MODIFIED

Mr. LEE. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 1437, with amendment numbered 6541, as modified, with the changes at the desk.

The PRESIDING OFFICER. The clerk will report by number.

The senior assistant legislative clerk read as follows:

The Senator from Utah [Mr. LEE] moves to concur in the House amendment to the Senate amendment to H.R. 1437, with an amendment numbered 6541, as modified.

The amendment is as follows:

(Purpose: In the nature of a substitute)

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Further Continuing Appropriations and Extensions Act, 2023''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short Title.
Sec. 2. Table of Contents.
Sec. 3. References.
Sec. 4. Payment to Widows and Heirs of Deceased Members of Congress.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2023

DIVISION B—OTHER MATTERS

Title I—Extensions
Title II—Budgetary matters

DIVISION C—HEALTH AND HUMAN SERVICES

Title I—Medicare and Medicaid
Title II—Human Services
Title III—Extension of FDA Authorizations
Title IV—Indian Health

DIVISION D—PRECIP ACT

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS.

There is hereby appropriated for fiscal year 2023, out of any money in the Treasury not otherwise appropriated, for payment to Colette Wallace McEachin, beneficiary of Aston Donald McEachin, late a Representative from the Commonwealth of Virginia, $174,000.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2023

SEC. 101. The Continuing Appropriations Act, 2023 (division A of Public Law 117–180) is amended—

(1) by striking the date specified in section 106(3) and inserting ''March 10, 2023'';

(2) by adding after section 157 the following new section:

''SEC. 158. During the period covered by this Act, section 227(a) of the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1525) shall not apply.''.

This division may be cited as the ''Further Continuing Appropriations Act, 2023''.

DIVISION B—OTHER MATTERS

TITLE I—EXTENSIONS

SEC. 101. EXTENSION OF FCC AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 102. EXTENSION OF AUTHORIZATION FOR SPECIAL ASSESSMENT FOR DOMESTIC TRAFFICKING VICTIMS' FUND.

Section 3014(a) of title 18, United States Code, is amended, in the matter preceding paragraph (1), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 103. UNITED STATES PAROLE COMMISSION EXTENSION.

(a) SHORT TITLE.—This section may be cited as the ''United States Parole Commission Further Extension Act of 2022''.

(b) AMENDMENT OF SENTENCING REFORM ACT OF 1984.—For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98–473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to ''35 years'' or ''35-year period'' shall be deemed a reference to ''35 years and 130 days'' or ''35-year and 130-day period'', respectively.

SEC. 104. EXTENSION OF COMMODITY FUTURES TRADING COMMISSION CUSTOMER PROTECTION FUND EXPENSES ACCOUNT.

Section 1(b) of Public Law 117–25 (135 Stat. 297), as amended by section 104 of division C of the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 is amended by striking ''December 16, 2022'' each place it appears and inserting ''March 10, 2023''.

TITLE II—BUDGETARY MATTERS

SEC. 201. PAYGO REPORT.

Notwithstanding subsection (a) of section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934), the Office of Management and Budget shall make publicly available the annual PAYGO report required under such subsection for 2022 and prepare any order required under subsection (b) of such section not later than March 11, 2023.

DIVISION C—HEALTH AND HUMAN SERVICES

TITLE I—MEDICARE AND MEDICAID

SEC. 101. EXTENSION OF INCREASED INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR CERTAIN LOW-VOLUME HOSPITALS.

(a) IN GENERAL.—Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking ''December 17, 2022'' and inserting ''March 11, 2023'';

(2) in subparagraph (C)(i)—

(A) in the matter preceding subclause (I), by striking ''December 16, 2022'' and inserting ''March 10, 2023'';

(B) in subclause (III), by striking ''December 16, 2022'' and inserting ''March 10, 2023''; and

(C) in subclause (IV), by striking ''December 17, 2022'' and inserting ''March 11, 2023''; and

(3) in subparagraph (D)—

(A) in the matter preceding clause (i), by striking ''December 16, 2022'' and inserting ''March 10, 2023''; and

(B) in clause (ii), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, including the amendments made by, this section by program instruction or otherwise.

SEC. 102. EXTENSION OF THE MEDICARE-DEPENDENT HOSPITAL PROGRAM.

(a) IN GENERAL.—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking ''December 17, 2022'' and inserting ''March 11, 2023''; and

(2) in clause (ii)(II), by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

(b) CONFORMING AMENDMENTS.—

(1) EXTENSION OF TARGET AMOUNTS.—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking ''December 17, 2022'' and inserting ''March 11, 2023''; and

(B) in clause (iv), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

(2) PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 103. EXTENSION OF INCREASED FMAPS UNDER MEDICAID FOR THE TERRITORIES.

Section 1905(ff) of the Social Security Act (42 U.S.C. 1396d(ff)) is amended—

(1) in paragraph (2), by striking ''December 16, 2022'' and inserting ''March 10, 2023''; and

(2) in paragraph (3), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 104. MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''$7,308,000,000'' and inserting ''$7,278,000,000''.

TITLE II—HUMAN SERVICES

SEC. 201. EXTENSION OF MATERNAL, INFANT, AND EARLY CHILDHOOD HOME VISITING PROGRAMS.

Activities authorized by section 511 of the Social Security Act shall continue through March 10, 2023, and out of any money in the Treasury of the United States not otherwise appropriated, there is hereby appropriated for such purpose an amount equal to the pro rata portion of the amount appropriated for such activities for fiscal year 2022.

SEC. 202. EXTENSION OF CHILD AND FAMILY SERVICES PROGRAMS.

Activities authorized by part B of title IV of the Social Security Act shall continue through March 10, 2023, in the manner authorized for fiscal year 2022, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

TITLE III—EXTENSION OF FDA AUTHORIZATIONS

SEC. 301. REAUTHORIZATION OF THE CRITICAL PATH PUBLIC-PRIVATE PARTNERSHIP.

Section 566(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–5(f)) is amended by striking ''$1,265,753 for the period beginning on October 1, 2022 and ending on December 16, 2022'' and inserting ''$2,646,574 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 302. REAUTHORIZATION OF THE BEST PHARMACEUTICALS FOR CHILDREN PROGRAM.

Section 409I(d)(1) of the Public Health Service Act (42 U.S.C. 284m(d)(1)) is amended by striking ''$5,273,973 for the period beginning on October 1, 2022 and ending on December 16, 2022'' and inserting ''$11,027,398 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 303. REAUTHORIZATION OF THE HUMANITARIAN DEVICE EXEMPTION INCENTIVE.

Section 520(m)(6)(A)(iv) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(m)(6)(A)(iv)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

SEC. 304. REAUTHORIZATION OF THE PEDIATRIC DEVICE CONSORTIA PROGRAM.

Section 305(e) of the Pediatric Medical Device Safety and Improvement Act of 2007

(Public Law 110–85; 42 U.S.C. 282 note) is amended by striking ''$1,107,534 for the period beginning on October 1, 2022, and ending on December 16, 2022'' and inserting ''$2,315,753 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 305. REAUTHORIZATION OF PROVISION PERTAINING TO DRUGS CONTAINING SINGLE ENANTIOMERS.

Section 505(u)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(u)(4)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

SEC. 306. REAUTHORIZATION OF CERTAIN DEVICE INSPECTIONS.

Section 704(g)(11) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(g)(11)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

SEC. 307. REAUTHORIZATION OF ORPHAN DRUG GRANTS.

Section 5(c) of the Orphan Drug Act (21 U.S.C. 360ee(c)) is amended by striking ''$6,328,767 for the period beginning on October 1, 2022, and ending on December 16, 2022'' and inserting ''$13,232,876 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 308. REAUTHORIZATION OF REPORTING REQUIREMENTS RELATED TO PENDING GENERIC DRUG APPLICATIONS AND PRIORITY REVIEW APPLICATIONS.

Section 807 of the FDA Reauthorization Act of 2017 (Public Law 115–52) is amended, in the matter preceding paragraph (1), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 309. REAUTHORIZATION OF THIRD-PARTY REVIEW PROGRAM.

Section 523(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m(c)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

TITLE IV—INDIAN HEALTH

SEC. 401. EXTENSION OF MORATORIUM.

Section 424(a) of title IV of division G of Public Law 113–76 is amended by striking ''December 16, 2022'' and inserting ''March 11, 2023''.

DIVISION D—PRECIP ACT

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Providing Research and Estimates of Changes In Precipitation Act'' or the ''PRECIP Act''.

SEC. 2. AMENDMENT TO THE WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017 RELATING TO IMPROVING FEDERAL PRECIPITATION INFORMATION.

(a) IN GENERAL.—The Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501 et seq.) is amended by adding at the end the following:

''TITLE VI—IMPROVING FEDERAL PRECIPITATION INFORMATION

''SEC. 601. STUDY ON PRECIPITATION ESTIMATION.

''(a) IN GENERAL.—Not later than 90 days after the date of enactment of the PRECIP Act, the Administrator, in consultation with other Federal agencies as appropriate, shall seek to enter an agreement with the National Academies—

''(1) to conduct a study on the state of practice and research needs for precipitation estimation, including probable maximum precipitation estimation; and

''(2) to submit, not later than 24 months after the date on which such agreement is finalized, to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on a website, a report on the results of the study under paragraph (1).

''(b) STUDY.—The report under subsection (a) shall include the following:

''(1) An examination of the current state of practice for precipitation estimation at scales appropriate for decisionmaker needs, and rationale for further evolution of this field.

''(2) An evaluation of best practices for precipitation estimation that are based on the best-available science, include considerations of non-stationarity, and can be utilized by the user community.

''(3) A framework for—

''(A) the development of a National Guidance Document for estimating extreme precipitation in future conditions; and

''(B) evaluation of the strengths and challenges of the full spectrum of approaches, including for probable maximum precipitation studies.

''(4) A description of existing research needs in the field of precipitation estimation in order to modernize current methodologies and consider non-stationarity.

''(5) A description of in-situ, airborne, and space-based observation requirements, that could enhance precipitation estimation and development of models, including an examination of the use of geographic information systems and geospatial technology for integration, analysis, and visualization of precipitation data.

''(6) A recommended plan for a Federal research and development program, including specifications for costs, timeframes, and responsible agencies for addressing identified research needs.

''(7) An analysis of the respective roles in precipitation estimation of various Federal agencies, academia, State, tribal, territorial, and local governments, and other public and private stakeholders.

''(8) Recommendations for data management to promote long-term needs such as enabling retrospective analyses and data discoverability, interoperability, and reuse.

''(9) Recommendations for how data and services from the entire enterprise can be best leveraged by the Federal Government.

''(10) A description of non-Federal precipitation data, its accessibility by the Federal Government, and ways for National Oceanic and Atmospheric Administration to improve or expand such datasets.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized $1,500,000 to the National Oceanic and Atmospheric Administration to carry out this study.

''SEC. 602. IMPROVING PROBABLE MAXIMUM PRECIPITATION ESTIMATES.

''(a) IN GENERAL.—Not later than 90 days after the date on which the National Academies makes public the report under section 601, the Administrator, in consideration of the report recommendations, shall consult with relevant partners, including users of the data, on the development of a plan to—

''(1) not later than 6 years after the completion of such report and not less than every 10 years thereafter, update probable maximum precipitation estimates for the United States, such that each update considers non-stationarity;

''(2) coordinate with partners to conduct research in the field of extreme precipitation estimation, in accordance with the research needs identified in such report;

''(3) make publicly available, in a searchable, interoperable format, all probable maximum precipitation studies developed by the National Oceanic and Atmospheric Administration that the Administrator has the legal right to redistribute and deemed to be at an appropriate state of development on an internet website of the National Oceanic and Atmospheric Administration; and

''(4) ensure all probable maximum precipitation estimate data, products, and supporting documentation and metadata developed by the National Oceanic and Atmospheric Administration are preserved, curated, and served by the National Oceanic and Atmospheric Administration, as appropriate.

''(b) NATIONAL GUIDANCE DOCUMENT FOR THE DEVELOPMENT OF PROBABLE MAXIMUM PRECIPITATION ESTIMATES.—The Administrator, in collaboration with Federal agencies, State, territorial, Tribal and local governments, academia, and other partners the Administrator deems appropriate, shall develop a National Guidance Document that—

''(1) provides best practices that can be followed by Federal and State regulatory agencies, private meteorological consultants, and other users that perform probable maximum precipitation studies;

''(2) considers the recommendations provided in the National Academies study under section 601;

''(3) facilitates review of probable maximum precipitation studies by regulatory agencies; and

''(4) provides confidence in regional and site-specific probable maximum precipitation estimates.

''(c) PUBLICATION.—Not later than 2 years after the date on which the National Academies makes public the report under section 601, the Administrator shall make publicly available the National Guidance Document under subsection (b) on an internet website of the National Oceanic and Atmospheric Administration.

''(d) UPDATES.—The Administrator shall update the National Guidance Document not less than once every 10 years after the publication of the National Guidance Document under subsection (c) and publish such updates in accordance with such subsection.

''SEC. 603. DEFINITIONS.

'' In this title:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

''(2) NATIONAL ACADEMIES.—The term 'National Academies' means the National Academies of Sciences, Engineering, and Medicine.

''(3) UNITED STATES.—The term 'United States' means, collectively, each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.''.

(b) CONFORMING AMENDMENT.—Section 1(b) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501 note) is amended in the table of contents by adding at the end the following:

''TITLE VI—IMPROVING FEDERAL PRECIPITATION INFORMATION

''Sec. 601. Study on precipitation estimation.

''Sec. 602. Improving probable maximum precipitation estimates.

''Sec. 603. Definitions.''.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, we find ourselves back in the same place. It is like deja vu all over again. We have been through this process year after year. I have been here 12 years, and it seems more often than not, we are in a very similar circumstance.

We are just a few days away from Christmas, and we are being asked to

move the deadline for the expiration of government funding, potentially leading to a shutdown even closer to Christmas. Today, we are being asked to move it to the day before Christmas Eve.

Obviously, we need to keep the government funded. We don't want a shutdown. No one wants a shutdown. A shutdown would be particularly bad at this time of year. It would be horrible for our constituents, people who rely on the government for a paycheck or for this or that program. It would all be bad, and we all feel the weight of that.

We also feel the weight, as we approach Christmas, of wanting to be able to make good on our promises to our families to spend the holidays with them rather than here in Washington.

As a result of that, every year, knowing this, there seem to be people who want to make sure that all spending decisions are wrapped into one spending bill. Very often, those are wrapped together in one omnibus spending package and then held off until a day or two—sometimes just hours—before the government is set to shut down.

That is when the magic happens. But it is not good magic; it is really bad magic. That is when these twin threats of sacrificing Christmas on the one hand or running into a government shutdown on the other hand—they operate like paired scissor blades to cut through what would otherwise be an insurmountable task. And that task involves convincing Senators to vote for a bill 3,000-plus pages long—likely this year containing 7,500 or so earmarks—a bill that they have never seen; a bill that does not, as we speak right now, exist without ever having seen it.

We all know that this is wrong. We all know that this is a corrupt way to run a government. This is a corrupt process that brings about all kinds of special interest giveaways. And in the absence of the light of day, they pass with the threat—the extorted threat—of a government shutdown or canceling Christmas—Members end up voting for that which they know they have no business supporting.

That is why my amendment is simple. My amendment simply gives us the flexibility to make these decisions not under duress, to make these decisions with clarity of mind and not influenced by this dual threat of a shutdown and cancellation of Christmas.

Now, look, whether you are for this omnibus bill that has yet to come into existence, that has yet to make a public appearance to see the light of day—whether you are for it or against it, you should support my amendment, because if you support my amendment, you are just giving us more flexibility.

The American people deserve nothing less than to allow us to make decisions consciously, knowingly, under the light of day, with clarity of mind, and not under duress. That is what my amendment affords them, extending this out to March 10.

The PRESIDING OFFICER. The Senator from Florida.

MOTION TO CONCUR WITH AMENDMENT NO. 6540

Mr. SCOTT of Florida. Mr. President, I move to concur in the House amendment to the Senate amendment to H.R. 1437 with amendment No. 6540.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Florida [Mr. SCOTT] moves to concur in the House amendment to the Senate amendment to H.R. 1437 with an amendment numbered 6540.

The amendment is as follows:

(Purpose: To rescind certain funding provided to the Internal Revenue Service under section 10301 of Public Law 117–169 and to protect American small businesses, gig workers, and freelancers by repealing the burdensome American Rescue Plan Act of 2021 transactions reporting threshold)

At the end, add the following:

DIVISION E—INTERNAL REVENUE SERVICE AND TAX ADMINISTRATION

SEC. 101. RESCISSION OF CERTAIN FUNDS FOR ENHANCED INTERNAL REVENUE SERVICE RESOURCES.

Effective on the date of enactment of this Act, the unobligated balances of the amounts made available under the following provisions of Public Law 117–169 are rescinded:

(1) INTERNAL REVENUE SERVICE ENFORCEMENT FUNDS.—Section 10301(1)(A)(ii).

(2) INTERNAL REVENUE SERVICE OPERATIONS SUPPORT.—Section 10301(1)(A)(iii).

SEC. 102. REPEAL OF MODIFICATIONS OF EXCEPTIONS FOR REPORTING OF THIRD PARTY NETWORK TRANSACTIONS.

(a) IN GENERAL.—Section 6050W(e) of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) EXCEPTION FOR DE MINIMIS PAYMENTS BY THIRD PARTY SETTLEMENT ORGANIZATIONS.—A third party settlement organization shall be required to report any information under subsection (a) with respect to third party network transactions of any participating payee only if—

''(1) the amount which would otherwise be reported under subsection (a)(2) with respect to such transactions exceeds $20,000, and

''(2) the aggregate number of such transactions exceeds 200.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for calendar years beginning after December 31, 2021.

Mr. SCOTT of Florida. Mr. President, everyone in this Chamber spoke about the pain American families are feeling as they deal with the raging inflation brought on by Joe Biden's reckless spending, so it was shocking to many of us when Senate Democrats approved $70 billion to supersize the IRS with 87,000 new agents. That means more audits on families and small businesses just as they struggle to get by thanks to skyrocketing prices.

What is worse, the Biden administration is also changing IRS standards to begin tracking financial transactions Americans make in excess of $600 to vendors like Cash App and Venmo and PayPal. It is an outrageous violation of Americans' privacy. It is stuff we see in communist China.

That is why I filed an amendment to strike the funding for the new IRS agents to prevent the IRS from spying on your bank accounts.

I urge my colleagues to protect Americans' privacy, stop the ridiculous audits on families, and support my amendment.

I yield back my time.

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote in relation to the Scott amendment. That time is equally divided.

Mr. SCOTT of Florida. I yield back.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, colleagues, I would strongly urge opposition to the Scott motion. The Scott motion would strip funding the IRS needs very much to go after wealthy tax cheats who are refusing to pay taxes they already owe. The most recent IRS Commissioner, a Republican appointee, estimated that the amount of taxes owed that are not collected could be as much as $1 trillion per year.

Working Americans—firefighters and nurses—who pay their taxes with every paycheck believe that the IRS must have the resources it needs to go after the sophisticated, wealthy tax cheats at the top, but powerful special interests who don't want to pay what they already owe are lying to the American people about how the additional IRS funding will be used.

I urge my colleagues to strongly oppose the Scott motion.

Mr. SCOTT of Florida. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

VOTE ON MOTION TO CONCUR

The question occurs on agreeing to the motion to concur with the Scott amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting the Senator from Alaska (Ms. MURKOWSKI) would have voted ''yea.''

The result was announced—yeas 45, nays 47, as follows:

[Rollcall Vote No. 397 Leg.]

YEAS—45

Blackburn	Cramer	Hoeven
Boozman	Crapo	Hyde-Smith
Braun	Daines	Inhofe
Capito	Ernst	Johnson
Cassidy	Fischer	Kennedy
Collins	Graham	Lankford
Cornyn	Grassley	Lee
Cotton	Hawley	Lummis

Marshall	Rounds	Sullivan
McConnell	Rubio	Tester
Moran	Sasse	Thune
Paul	Scott (FL)	Toomey
Portman	Scott (SC)	Tuberville
Risch	Shelby	Wicker
Romney	Sinema	Young

NAYS—47

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Luján	Smith
Casey	Manchin	Stabenow
Coons	Markey	Van Hollen
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warnock
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Ossoff	Wyden
Hassan	Padilla	

NOT VOTING—8

Barrasso	Cruz	Murkowski
Blunt	Hagerty	Tillis
Burr	Kelly	

The PRESIDING OFFICER. On this vote, the yeas are 45, the nays are 47.

The 60-vote threshold having not been achieved, the motion to concur is not agreed to.

The motion was rejected.

MOTION TO CONCUR WITH AMENDMENT NO. 6451

The PRESIDING OFFICER. There are now 2 minutes of debate prior to a vote in relation to the Lee motion.

The Senator from Utah.

Mr. LEE. Mr. President, we will be voting in a moment on my amendment. Again, this amendment is something that everyone in this Chamber should be able to support, whether you like the omnibus or whether you hate the omnibus. The Senate should be in a position to be able to review the omnibus with a clear head without the pressure of an imminent threat at Christmastime of a shutdown. The American people deserve this, and so do we. This is the only way to make this right. I encourage all of you to vote for my amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, a continuing resolution to March 10 is shortsighted and wholly unnecessary. It imperils our national security, and it ignores the real pain and consequences of inflation.

Without funding from a full-year omnibus appropriations bill, the NDAA we passed this evening is a broken promise, the bipartisan PACT Act goes underfunded, and VA medical care falls at least $7.5 billion short.

While some of my colleagues are quick to raise the alarm about our southern border, a CR into March does nothing to address the influx of migrants at our border now. It does nothing to help communities ravaged by drought, hurricanes, flooding and fire. While families feel the pain of inflation, a CR into March does nothing to provide them with relief.

We have a bipartisan, bicameral framework in place that should allow us to complete an omnibus appropriations bill early next week. A CR into March asks us to abandon our work without offering a different or viable alternative. I urge my colleagues to reject that proposal and allow us time to complete our work.

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question occurs on agreeing to the motion to concur with the Lee amendment.

Mr. LEE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), the Senator from Kansas (Mr. MORAN), the Senator from North Carolina (Mr. TILLIS), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 35, nays 56, as follows:

[Rollcall Vote No. 398 Leg.]

YEAS—35

Blackburn	Graham	Risch
Boozman	Grassley	Romney
Braun	Hawley	Rubio
Capito	Hoeven	Sasse
Cassidy	Hyde-Smith	Scott (FL)
Cornyn	Johnson	Sullivan
Cotton	Kennedy	Thune
Cramer	Lankford	Toomey
Crapo	Lee	Tuberville
Daines	Lummis	Wicker
Ernst	Marshall	Young
Fischer	Paul	

NAYS—56

Baldwin	Hirono	Reed
Bennet	Inhofe	Rosen
Blumenthal	Kaine	Rounds
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Luján	Shaheen
Carper	Manchin	Shelby
Casey	Markey	Sinema
Collins	McConnell	Smith
Coons	Menendez	Stabenow
Cortez Masto	Merkley	Tester
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warnock
Gillibrand	Ossoff	Warren
Hassan	Padilla	Whitehouse
Heinrich	Peters	Wyden
Hickenlooper	Portman	

NOT VOTING—9

Barrasso	Cruz	Moran
Blunt	Hagerty	Scott (SC)
Burr	Kelly	Tillis

The motion was rejected.

The PRESIDING OFFICER. Under the previous order, the motion to refer and the motion to concur with amendments are withdrawn.

There are now 2 minutes equally divided prior to the vote on the motion to concur.

The majority leader.

Mr. SCHUMER. Mr. President, we haven't had a single government shutdown during the entire 117th Congress, and thanks to this weeklong extension today, we are not starting now.

Today's 1-week continuing resolution will keep the government open long enough to give our appropriators a chance to finish their work on a yearlong funding package.

This is about taking a very simple, exceedingly responsible step to ensure we finish the year without hiccups and without minimal drama. A 1-week CR will give us more time so we can keep working.

I want to thank my colleagues on both sides of the aisle for their great cooperation.

Next week, hopefully, we will finish the job, passing a package that will keep the government fully funded into next fall. Nobody is going to get everything they want, but the final product will include wins everyone can get behind, including passing the Electoral Count Act, emergency aid for Ukraine, and funding for our kids, our veterans, our small businesses, and our military families.

No drama, no gridlock, no government shutdown this week, it is a win for the American people. I thank my colleagues for their work.

I ask for the yeas and nays.

VOTE ON MOTION TO CONCUR

The PRESIDING OFFICER. The question occurs on agreeing to the motion to concur.

The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Texas (Mr. CRUZ), the Senator from Tennessee (Mr. HAGERTY), the Senator from Kansas (Mr. MORAN), the Senator from South Carolina (Mr. SCOTT), the Senator from North Carolina (Mr. TILLIS), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 71, nays 19, as follows:

[Rollcall Vote No. 399 Leg.]

YEAS—71

Baldwin	Duckworth	Luján
Bennet	Durbin	Manchin
Blumenthal	Feinstein	Markey
Booker	Gillibrand	McConnell
Boozman	Graham	Menendez
Brown	Grassley	Merkley
Cantwell	Hassan	Murkowski
Capito	Heinrich	Murphy
Cardin	Hickenlooper	Murray
Carper	Hirono	Ossoff
Casey	Hyde-Smith	Padilla
Cassidy	Inhofe	Peters
Collins	Kaine	Portman
Coons	Kennedy	Reed
Cornyn	King	Romney
Cortez Masto	Klobuchar	Rosen
Cotton	Leahy	Rubio

Sanders	Stabenow	Warnock
Schatz	Sullivan	Warren
Schumer	Tester	Whitehouse
Shaheen	Thune	Wicker
Shelby	Tuberville	Wyden
Sinema	Van Hollen	Young
Smith	Warner	

NAYS—19

Blackburn	Hawley	Paul
Braun	Hoeven	Risch
Cramer	Johnson	Rounds
Crapo	Lankford	Sasse
Daines	Lee	Scott (FL)
Ernst	Lummis	
Fischer	Marshall	

NOT VOTING—10

Barrasso	Hagerty	Tillis
Blunt	Kelly	Toomey
Burr	Moran	
Cruz	Scott (SC)	

The PRESIDING OFFICER (Ms. BALDWIN). On this vote, the yeas are 71, the nays are 19.

The 60-vote threshold having been achieved, the motion to concur is agreed to.

The motion was agreed to.

PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 1437

The PRESIDING OFFICER. Under the previous order, H. Con. Res. 123 is considered agreed to, and the motion to reconsider is considered made and laid upon the table.

The concurrent resolution (H. Con. Res. 123) was agreed to.

The PRESIDING OFFICER. The junior Senator from Maine.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 1175, 1176, 1177, 1178, 1179, 1180, and 1181; 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 and the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the en bloc nominations of Kendra Davis Briggs, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Errol Rajesh Arthur, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Leslie A. Meek, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Carl Ezekiel Ross, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Laura E. Crane, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Veronica M. Sanchez, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; and Vijay Shanker, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. KING. Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Executive Calendar No. 1301, Martin J. Gruenberg, of Maryland, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years. (Reappointment); further, that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate vote without intervening action or debate on the nomination; further, that if the nomination is confirmed, the Senate consider the following nominations en bloc: Calendar Nos. 1298, 1299, 1300, 1302, and 1297; that the Senate vote on the nominations en bloc without intervening action or debate; and that if the nominations are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 1303 through 1311 and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, Navy, and Space Force; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. David C. Epperson

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Thomas P. Sherman

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Francis L. Donovan

IN THE AIR FORCE

The following named Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Donald K. Carpenter
Brig. Gen. Samuel C. Keener
Brig. Gen. Mark W. Mitchum
Brig. Gen. Mark D. Piper

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Steven S. Nordhaus

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Paige M. Jennings

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. Jonathan T. Stephens

IN THE MARINE CORPS

The following named officers for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Marcus B. Annibale
Brig. Gen. Lorna M. Mahlock
Brig. Gen. Joseph A. Matos, III
Brig. Gen. David L. Odom
Brig. Gen. Thomas B. Savage
Brig. Gen. William H. Swan
Brig. Gen. Brian N. Wolford
Brig. Gen. Calvert L. Worth, Jr.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Charles R. Hamilton

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN2462 AIR FORCE nominations (70) beginning KIMBERLYN. BARR, and ending BENJAMIN D. YOUNGQUIST, which nominations were received by the Senate and appeared in the Congressional Record of August 3, 2022.

PN2463 AIR FORCE nominations (61) beginning NATHAN J. ABEL, and ending BAI LAN ZHU, which nominations were received by the Senate and appeared in the Congressional Record of August 3, 2022.

PN2464 AIR FORCE nominations (91) beginning BILLY S. ALLEN, and ending JOSHUA D. WILD, which nominations were received by the Senate and appeared in the Congressional Record of August 3, 2022.

PN2465 AIR FORCE nominations (302) beginning ALLEN Y. AGNES, and ending JOSE L. ZAMBRANO, which nominations were received by the Senate and appeared in the Congressional Record of August 3, 2022.

PN2466 AIR FORCE nominations (10) beginning DANIEL A. BUNCH, and ending MICHAEL WILLIAM SUDEN, which nominations were received by the Senate and appeared in the Congressional Record of August 3, 2022.

PN2467 AIR FORCE nominations (12) beginning DEAR BELOVED, and ending JOHN T. SZCZEPANSKI, which nominations were received by the Senate and appeared in the Congressional Record of August 3, 2022.

PN2595 AIR FORCE nominations (60) beginning KARLA E. ADAMS, and ending JESSE M. WICKHAM, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2022.

PN2597 AIR FORCE nominations (12) beginning JACQUELINE E. BVLGARI, and ending KELLY L. VERMILLION, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2022.

PN2645 AIR FORCE nomination of Keenan E. Dalrymple, which was received by the Senate and appeared in the Congressional Record of September 15, 2022.

PN2646 AIR FORCE nomination of Susan D. Baumgartner, which was received by the Senate and appeared in the Congressional Record of September 15, 2022.

PN2647 AIR FORCE nomination of Stigen A. Westberg, which was received by the Senate and appeared in the Congressional Record of September 15, 2022.

PN2648 AIR FORCE nomination of Beau D. Graham, which was received by the Senate and appeared in the Congressional Record of September 15, 2022.

PN2649 AIR FORCE nomination of Kristen M. Barra, which was received by the Senate and appeared in the Congressional Record of September 15, 2022.

PN2650 AIR FORCE nomination of Evans R. Wright, which was received by the Senate and appeared in the Congressional Record of September 15, 2022.

PN2776 AIR FORCE nomination of Jeremy A. Krohngold, which was received by the Senate and appeared in the Congressional Record of November 17, 2022.

PN2801 AIR FORCE nomination of Chandramouli Rajaram, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

IN THE ARMY

PN2425 ARMY nomination of Sean P. Hutchison, which was received by the Senate and appeared in the Congressional Record of July 27, 2022.

PN2527 ARMY nomination of Andrew K. Arrington, which was received by the Senate and appeared in the Congressional Record of September 6, 2022.

PN2802 ARMY nomination of Christopher A. Kreiler, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

PN2803 ARMY nominations (3) beginning MICHAEL A. RIZZOTTI, and ending BRETT C. SHEPARD, which nominations were received by the Senate and appeared in the Congressional Record of December 7, 2022.

PN2804 ARMY nomination of Ronald W. Sprang, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

PN2805 ARMY nomination of Ryan C. Agee, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

PN2806 ARMY nomination of Philip J. Deaguilera, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

PN2807 ARMY nomination of Brian C. Beldowicz, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

PN2808 ARMY nomination of Christopher A. Benson, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

IN THE MARINE CORPS

PN2809 MARINE CORPS nominations (108) beginning DAVID AHN, and ending JAY M. ZARRA, which nominations were received by the Senate and appeared in the Congressional Record of December 7, 2022.

IN THE NAVY

PN2810 NAVY nomination of Tapeka C. Pringle, which was received by the Senate and appeared in the Congressional Record of December 7, 2022.

IN THE SPACE FORCE

PN2656 SPACE FORCE nomination of Ashton M. Shelton, which was received by the Senate and appeared in the Congressional Record of September 15, 2022.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 1259, 1260, 1294, 1295, and 1296; 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 and the Senate resume legislative session.

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

The question is, Will the Senate advise and consent to the en bloc nominations of Kathleen Ann Kavalec, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania; Jessica Davis Ba, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cote d'Ivoire; Henry C. Leventis, of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years; Michael D. Black, of Ohio, to be United States Marshal for the Southern District of Ohio for the term of four years; and Catrina A. Thompson, of North Carolina, to be United States Marshal for the Middle District of North Carolina for the term of four years?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

GOVERNMENT FUNDING

Mr. DURBIN. Madam President, stop me if you have heard this one before: Two atoms walk into a bar, they collide into one other at extreme speeds, under extreme heat, and they leave later that evening combined—as one, single element.

The process I have just described is known as nuclear fusion. For the past 60 years, it is a process that has only existed in theory—written on chalkboards and debated in lecture halls. But last week, everything changed, when the brilliant minds at the Lawrence Livermore National Laboratory in California made a breakthrough. For the first time in human history, these American researchers achieved what is known as fusion ignition.

They constructed the world's largest laser system—the size of a sports stadium—to recreate conditions that can only be found in the cores of stars and giant planets. And they harnessed that power to combine two particles into one, and as a result, they created more energy than was used to start the process. In other words, these federally funded researchers achieved a scientific feat that could pave the way for unlimited, carbon-free energy. And in the words of our Secretary of Energy, Jennifer Granholm, it is a breakthrough that ''[only] happened because we invested in our national labs . . . and we invested in fundamental research.''

Now, let's be clear, this technology is a long way off from powering our homes and businesses, but it is a revolutionary proof of concept. These American researchers have proven that nuclear fusion—and, potentially, a carbon-free future—are possible.

And this remarkable breakthrough is a return to form for America: Throughout our history, our government has funded the revolutionary research considered too risky for investors in the private sector—the kinds of discoveries

that cost too much and take too long for private investors—but can change the world. And time and again, these Federal investments have paid off. Could you imagine the world economy today without the internet or the microchip? Well, both were the products of federally funded research. And both have created well-paying jobs for generations of families in our country. This new breakthrough in nuclear fusion proves that America is at its best when we pioneer the inventions and industries of tomorrow.

And that is exactly why we, in this Senate today, need to invest our Nation's capacity to innovate. We can't face tomorrow's challenges with yesterday's budget. But sadly, that is the reality we are faced with if Congress fails to pass a spending package by the end of this month.

Yes, it is that time of the year again in Washington: the end-of-year sprint to pass a government funding bill—also known as an omnibus. And as we approach the closing days of this Congress, we need to answer a fundamental question: Will we pass a government funding bill that adequately addresses our Nation's greatest challenges? Or we will give up and kick the can to the next Congress?

And this isn't just about funding for fundamental research; we are talking about the fundamental problems Americans face every single day. If we don't pass an omnibus in the next several days, the Federal Government will have to rely on what is known as a continuing resolution; it is essentially copying and pasting last year's budget into next year. Imagine if a high school student did that on a term paper; they would fail the class—and for good reason.

Fortunately, earlier this week, Senator LEAHY, Senator SHELBY, and Congresswoman DELAURO announced a spending framework that will hopefully lead to an omnibus appropriations package to fully fund the government through the next fiscal year. That omnibus bill will support healthcare for our senior citizens and veterans, infrastructure projects to rebuild and revitalize our communities, and community violence prevention programs to keep our kids and families safe. These are real solutions to the urgent problems American families deal with every single day. In fact, over the past 2 years, this Senate has passed a number of policies to address those same problems—many of them bipartisan.

We passed the biggest infrastructure bill in a generation, to rebuild our roads and bridges and replace lead pipes in cities like Chicago. We passed the CHIPS and Science Act, to bring manufacturing jobs back to our shores and secure our domestic supply of a component that is critical in the 21st century economy. We passed the PACT Act, to keep our promise to America's veterans and help those suffering from toxic exposure during their time on the battlefield. And we also passed the Bipartisan Safer Communities Act, to combat the scourge of gun violence that has now become the No. 1 killer of America's children.

But here is the issue: If we leave Washington without passing a spending package, these policies will be little more than words on paper—because none of these initiatives will receive the funding they need to start helping American families. That is unacceptable; the American people have already shown that they support these policies.

How do we know that? Well, as members of this Senate, we voted on every one of those measures I just mentioned. They all passed. Last month, many of these same Senators touted their support for these measures in their reelection campaigns. And every single one of them was reelected—every single one. That hasn't happened since 1934. That is about as clear a message as you get in politics: The policies we have passed are popular—and even more important, they are necessary.

So how can we now turn around and tell the American people: Sorry, you will just have to wait a little longer. We have decided not to fund those promises we made? How can we tell that to the veteran who needs life-saving medical care today? Or the mother whose child is at risk of gun violence today? Or Americans who don't have access to safe drinking water today? These Americans have already waited too long, and they shouldn't have to wait a moment longer. We should do our job and fund the government.

Passing an omnibus also will bring millions of dollars in earmark funding that Senator DUCKWORTH and I have worked to secure for community projects in Illinois. These projects will improve our State's transportation systems, clean up our water, strengthen community violence prevention initiatives, expand access to healthcare, create jobs, and much more. But if we leave Washington without passing an omnibus, these projects will not receive the funding they need to move forward.

And worse yet, public safety will suffer. In my town of Springfield, our U.S. Attorney tells me his office needs Federal funding to hire more assistant U.S. Attorneys, who are on the frontlines of combating gun violence and violent crime. And across the country, there is a shortage of more than 750 assistant U.S. Attorneys. If we fail to pass a spending package, those shortages, which are a risk to public safety, will extend into next year. That would be a pitiful closing act for the 117th Congress, which has done a lot of good work for the American people.

So let's come together and finish the job. Let's fully fund the government before we leave for the holidays, so hard-working Americans can finally get the solutions they have been waiting on.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0V–22. 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 22–15 of February 11, 2022.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 0V–22

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

(i) Purchaser: Government of Australia.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 22–15; Date: February 22, 2022; Military Department: Air Force.

(iii) Description: On February 22, 2022 Congress was notified by Congressional certification transmittal number 22–15, of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of AN/AAQ 24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) component systems required to support an ongoing upgrade of its large Air Mobility Platforms, which include C–17As, KC–30As, and C–130Js. As such, the Government of Australia requested to buy twenty-seven (27) AN/AAQ 24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) System Processor Replacements (LSPR) (27 installed, 0 spares); and thirty (30) Guardian Laser Turret Assemblies (GLTA) (30 installed, 0 spares). Also included were LAIRCM Control Indicator Unit Replacements (CIURs); Advanced Threat Missile Warning Sensors (ATWs); Smart Card Assemblies (SCAs); High Capacity Cards/User Data Memory Cards (HCCs/UDMs) (installed and spares); Simple Key Loaders; initial spares, consumables, and repair/return support; support and test equipment; integration and test support; personnel training, publications and technical documentation; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and

program support. The estimated total sale was $122 million. Major Defense Equipment (MDE) constituted $34 million of this total.

This transmittal reports the addition of the following MDE item: one (1) AN/AAQ 24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) System Processor Replacement (LSPR) at an estimate of $0.5M. Also included are User Data Modules and card connectors; and additional engineering and technical services. The estimated total value of these additional items is $8.0 million. This transmittal also reports a $7 million increase in value to the estimated cost of the previously notified MDE. The total estimated MDE value will increase by $7.5 million to $41.5 million. The estimated total value will increase by $15.5 million, resulting in an estimated total case value of $137.5 million.

(iv) Significance: This notification is being provided as the additional MDE item was not enumerated in the original notification. The proposed sale will further improve Australia's capability to meet current and future threats by providing modern protection for large air mobility platforms.

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

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

(vii) Date Report Delivered to Congress: December 15, 2022.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0J–22. 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 22–14 of April 4, 2022.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 0J–22

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

(i) Purchaser: Government of Bulgaria.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 22–14; Date: April 4, 2022; Implementing Agency: Air Force; Funding Source: National Funds.

(iii) Description: On April 4, 2022, Congress was notified by Congressional certification transmittal number 22–14 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of four (4) F–16 C Block 70 aircraft; four (4) F–16 D Block 70 aircraft; eleven (11) F100–GE–129D engines (8 installed, 3 spares); eleven (11) Improved Programmable Display Generators (iPDG) (8 installed, 3 spares); eleven (11) AN/APG–83 Active Electronically Scanned Array (AESA) Scalable Agile Beam Radars (SABR) (8 installed, 3 spares); eleven (11) Modular Mission Computers (MMC) 7000AH (8 installed, 3 spares); eleven (11) LN–260 or equivalent Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI) with Selective Availability Anti-Spoofing Module (SAASM) and Precise Positioning Service (PPS) (8 installed, 3 spares); nineteen (19) Advanced Medium Range Air-to-Air Missile (AMRAAM) AIM–120C–7/C–8 or equivalent missiles; two (2) AMRAAM Guidance Sections; forty-eight (48) LAU–129A launchers (40 installed, 8 spares); twenty-eight (28) GBU–39/B Small Diameter Bombs (SDBs); two (2) SDB Guided Test Vehicles (GTVs); eleven (11) M61A1 Vulcan Cannons (8 installed, 3 spares); four (4) AN/AAQ–33 Sniper Advanced Targeting Pods (ATPs); twelve (12) Multifunctional Information Distribution System with Joint Tactical Radio Systems (MIDS–JTRS) (aircraft terminals and ground station terminals) (10 installed, 2 spares); twenty (20) AIM–9X Block II missiles; eight (8) AIM–9X Block II Captive Air Training Missiles (CATMs); four (4) AIM–9X Block II Tactical Guidance Units; four (4) AIM–9X Block II CATM Guidance Units; twenty-four (24) FMU–139 or FMU–152 fuze systems; twelve (12) KMU–572 Joint Direct Attack Munition (JDAM) Tail Kits for 500LB GBU–38 or Laser JDAM GBU–54; twelve (12) MXU–650 Air Foil Groups (AFGs) for Enhanced Paveway II EGBU–49; twelve (12) MAU–210 Enhanced Computer Control Groups (ECCGs) for EPII EGBU–49; twenty-four (24) MK–82 or BLU–111 or equivalent Bomb Bodies; six (6) MK–82 Inert Bombs; and two (2) GBU–39 SDB I Practice Bombs. Also included are AN/ARC–238 radios; AN/APX–126 or equivalent Advanced Identification Friend or Foe (AIFF) with Combined Interrogator Transponders (CIT); Joint Helmet Mounted Cueing System II (JHMCS II) or Scorpion Hybrid Optical-based Inertial Tacker (HObIT) helmet mounted displays; AN/ALQ–254 Viper Shield or equivalent Electronic Warfare (EW) systems; AN/ALE–47 Countermeasure Dispenser Systems (CMDS), KY–58M Cryptographic Devices, KIV–78 Cryptographic Devices, and Simple Key Loaders (SKLs); Joint Mission Planning Systems (JMPS) or equivalent; AIM–120 Captive Air Training Missiles (CATM); PGU–28 High Explosive Incendiary (HEI) ammunition; PGU–27 training rounds (non HEI); ARD–446 impulse cartridges; ARD–863 impulse cartridges; BBU–36/B impulse cartridges; BBU–35/B impulse cartridges; MK–124 smoke flares; MJU–7/B flare cartridges L463 or MJU–53 or equivalent; Common Munitions Built-in-Test (BIT) Reprogramming Equipment (CMBRE); ADU–890 adapter for CMBRE; ADU–891 adapter for CMBRE; Night Vision Devices (NVD); NVD Spare Image Intensifier Tubes; Remote Operated Video Enhanced Receiver (ROVER) 6i units; Tactical Network ROVER Kit; DSU–38 laser sensors for GBU–54; Cartridge Actuated Device/Propellant Actuated Devices (CADs/PADs); GBU–39 tactical training rounds; BRU–57 bomb racks; BRU–61 bomb racks; MAU–12 bomb racks and TER–9A triple ejection racks; other chaff and flare, ammunition, and pylons; launcher adaptors and weapons interfaces; fuel tanks and attached hardware; travel pods; aircraft and weapons integration, test, and support equipment; electronic warfare database and mission data file development; precision measurement and calibration laboratory equipment; secure communications; cryptographic equipment; precision navigation equipment; aircraft and personnel support and test equipment; spare and repair parts; repair and return services; maps, publications, and technical documentation; studies and surveys; classified/unclassified software and software support; personnel training and training equipment; facilities and facility management, design and/or construction services; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost was $1.673 billion. Major Defense Equipment (MDE) constituted $0.978 billion of this total.

This transmittal reports a correction to the previously notified ''eleven (11) F100–GE–129D engines (8 installed, 3 spares)'' to ''eleven (11) F110–GE–129D engines (8 installed, 3 spares);'' there is currently no GE aircraft engine designated as F100. The following non-MDE items will also be included: ROVER 6Si units with Tactical Network ROVER (TNR) 2i kits; and STINGER MB ground terminal systems. The total MDE value will remain $0.978 billion. The total case value will remain $1.673 billion.

(iv) Significance: This notification is being provided to correctly identify the designation of F110–GE–129D engines to be included in this sale. Additionally, the inclusion of the additional non-MDE items represents an increase in capability over what was previously notified. The proposed articles and services will support Bulgaria's purchase of F–16s and associated equipment and will provide Bulgaria with a credible defense capability to deter aggression in the region.

(v) Justification: This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally that is a force for political stability and economic progress in Europe.

(vi) Sensitivity of Technology: The L3Harris ROVER 6Si transceiver provides real-time, full-motion video (FMV) and other network data for situational awareness, targeting, battle damage assessment, surveillance, relay, convoy over-watch operations and other situations where eyes-on-target are required. It provides expanded frequencies and additional processing resources from previous ROVER versions, allowing increased levels of collaboration and interoperability with numerous manned and unmanned airborne platforms.

The TNR 2i handheld transceiver supports both analog and digital waveforms enabling interoperability with commonly fielded US and NATO airborne platforms. In addition to traditional video downlink capability, TNR 2i provides bidirectional IP networking (Net-T). This kind of network connectivity allows for Digitally Aided Close Air Support (DaCAS), ground force position sharing, chat and large file transfer capabilities.

The STINGER MB is a tracking antenna system for long-range data links, supporting simultaneous transmit and receive capability in the UHF, L, S, C and Ku frequency bands.

The highest level of classification of information included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: December 15, 2022.

TRIBUTE TO DR. PATRICK BREYSSE

Mr. PETERS. Madam President, I rise today to honor a public servant who has made a significant impact protecting the health of Michiganders and people across the country from environmental hazards and related health concerns. Dr. Patrick Breysse will be retiring from the Centers for Disease Control and Prevention—CDC—and the Agency for Toxic Substances and Disease Registry—ATSDR—after serving 36 years both in government and as a professor at the Johns Hopkins University School of Public Health. Dr. Breysse's expertise in environmental exposure assessment and epidemiology has resulted in preventing disease, saving lives, and improving the health of communities.

Dr. Breysse joined CDC in December 2014 to lead the Agency's efforts to investigate the relationship between environmental factors and health. Under Dr. Breysse, CDC and ATSDR took significant steps to address lead exposure, improve safe drinking water, reduce exposure to hazardous substances, and play a critical role in CDC's emergency preparedness and response to natural disasters. His recent priorities include addressing per- and polyfluoroalkyl substances—PFAS—contamination in drinking water and the health effects of poor air quality, extreme heat, flooding, and other weather-related hazards. He also led the public health response to the Flint water crisis in my home State of Michigan and remains focused on preventing lead exposures from public drinking water and working to make our environments lead-free. Dr. Breysse has worked closely with State, local, Territorial, and Tribal partners and been a true advocate for the health of our communities.

Dr. Breysse has also been a leader in bringing attention to the health concerns related to PFAS chemicals, testifying before Congress, briefing staff and Members, and initiating a groundbreaking health study at ATSDR to fill research gaps and examine the relationship between these chemicals and human health. He led the charge to better understand the contamination of PFAS in our water supply and the numerous potentially associated health effects. His vision and foresight helped lead to changes in standards, improvements in guidance for health professionals, and attention to this issue across the Nation.

Dr. Breysse is leaving behind a rich legacy of improving the quality of science and practice related to environmental health within CDC and ATSDR. I am thankful for Dr. Pat Breysse and his commitment to the health of our communities and for the countless public servants like him who dedicate their lives to protecting others.

TRIBUTE TO LISA ELIJAH

Ms. SINEMA. Madam President, I rise today to congratulate and thank Lisa Elijah, who has been serving as a HillVets fellow in my office this year. Lisa, an Air Force veteran, has been an asset to the people of Arizona, to the U.S. Congress, and to my staff.

Arizona is home to nearly half a million veterans, making up almost 9 percent of the State. We pride ourselves on our strong connection with the military and take seriously the responsibility to care for our troops after they retire. Serving Arizona veterans is paramount in our office, and handling veterans' affairs issues is one of the most challenging and demanding portfolios for my team.

In the year she has worked in my office, Lisa has become an essential member of the staff and a valued liaison with the Arizona veteran community. As part of my policy team, Lisa has participated in dozens of meetings and was the primary point of contact for organizations and government Agencies on veterans' policy. She has assisted in making informed recommendations on veterans' legislation, cosponsorships, and meeting preparation. She has helped us draft thoughtful and influential policy that I know will help the servicemembers and families of Arizona, including legislation designed to improve the VA Family Caregivers Program.

Moreover, Lisa has gone above and beyond, taking the helm of our veterans' affairs team for several months, including coordinating with a legislative correspondent, policy adviser, and our State-based veterans outreach team across three geographically distinct offices. In this role, she has engaged with key stakeholders in the veteran's community, including grassroot organizations, government Agencies, and other interested parties. She also took the lead on preparing me for hearings in the Senate Veterans' Affairs Committee, preparing talking points, background material, and working with committee staff on legislation.

I know that Lisa's work for veterans is not yet concluded. Her future position that will allow her to continue her work for veterans in Arizona and throughout the Nation. I am excited to see her continued success.

I am incredibly proud of the work Lisa Elijah accomplished throughout this challenging year. She has set an outstanding example for others, and my team and I will miss her.

TRIBUTE TO SERGEANT MAJOR NICHOLAS J. STOKELY

Mr. OSSOFF. Madam President, today it is with great pleasure that I honor a superb Army noncommissioned officer and legislative liaison. After 2 years of exemplary service with the Army Office of the Chief, Legislative Liaison, SGM Nicholas J. Stokely was selected to serve as the next battalion command sergeant major for the 96th Civil Affairs Battalion, Special Operations (Airborne), at Fort Bragg, NC. He is no stranger to positions of trust and authority as he currently serves as the legislative assistant to the 16th Sergeant Major of the Army. He will assume responsibility for this new position in June.

On this occasion, I believe it is appropriate to recognize Sergeant Major Stokely's distinguished 25-year career spent serving the interests of the American people, whether here in the halls of Congress or out in the field with his boots on the ground. He is a native of Fountain Inn, SC. It is there that he first began his military service as an infantryman in the South Carolina National Guard in 1997. Sergeant Major Stokely enlisted in the Active-Duty Army in February 2002 and served in numerous leadership positions while stationed at Joint Base Lewis-McChord in Washington State.

In 2006, he donned the iconic hat of the U.S. Army drill sergeant, helping train young men and women in preparation for the rigors of serving in the Army. Sergeant Major Stokely has excelled in every job the Army has asked him to take on, and true to form, he was selected as the 2007 Infantry Training Brigade Drill Sergeant of the Year at Fort Benning, GA. This is indicative of how he approaches his job.

In 2009, Sergeant Major Stokely began a new chapter in his career by completing the Civil Affairs Specialist Course at Fort Bragg and joining the ranks of Special Forces operators. He subsequently served in every leadership position possible while assigned to the 95th Civil Affairs Brigade. He then went on to serve as an instructor and course manager at the U.S. Army John F. Kennedy Special Warfare Center and School.

It is clear the Army has consistently relied upon Sergeant Major Stokely for his exceptional leadership. He has deployed on numerous occasions in support of America's national defense. Sergeant Major Stokely has deployed in support of Operations Iraqi Freedom, Enduring Freedom, the European Reassurance Initiative, and European Deterrence Initiative with multiple tough assignments within Special Operations units across the Asian and European continents.

In 2019, Sergeant Major Stokely arrived on Capitol Hill, serving as the defense fellow for Representative JASON CROW of Colorado's Sixth District. From there, he did exceptional work liaising on the Army's Senate Liaison Division staff before his selection as a legislative assistant. In each of these positions, his primary responsibility was to help continue and strengthen Army relationships across Congress.

Over the past 2 years, Sergeant Major Stokely has traveled all over the world leading congressional and staff delegations doing just that.

Now, he will continue his distinguished Army career, returning to lead men and women. I am thankful for his service and sacrifice. On behalf of Congress, I wish him, his wonderful wife Kristina, and three beautiful children Cody, Cailynn, and Kinslee all the best.

ADDITIONAL STATEMENTS

TRIBUTE TO THE COUNTRY MUSIC HALL OF FAME CLASS OF 2022

• Mrs. BLACKBURN. Madam President, on October 16, Music City welcomed the Country Music Hall of Fame's Class of 2022, Joe Galante, Jerry Lee Lewis, and Keith Whitley, into country music's closest circle of friends. As a lifelong fan, I like to spend time each year reflecting not only on the ties that bind the genre, but on those that set each generation of artists, songwriters, musicians, and executives apart. This year, the Hall's newest members have one very simple thing in common: Country music came naturally to them.

If all had gone according to plan for Joe Galante, he never would have spent his life making country music. This year's Non-Performer inductee came to Nashville on a 2-year assignment as a junior financial analyst, then spent more than four decades modernizing the country music recording industry's business practices as one of the most influential executives in entertainment. The industry at the time may not have known what to make of this young man from New York City, but the industry of today is far more successful and creative for having embraced his vision of what country music could be.

On October 28, 2022, we lost Jerry Lee Lewis, this year's Veterans Era Artist inductee. But if there was ever an entertainer whose spirit will endure in the music of future generations of country stars, it is Jerry Lee. He made his mark in rock & roll, gospel, and the blues, but country is where he felt most at home. He was one of the greatest showmen in music and he knew it—and as the Hall's CEO Kyle Young put it, who are we to argue?

Keith Whitley, this year's Modern Era Artist inductee, died before he reached most of country's unique career milestones. But during his short time in the spotlight, he stood at the forefront of the New Traditionalist revival and convinced Music City that while sonic evolution was inevitable, country's roots would always be waiting for artists brave enough to embrace them. Keith struggled to control the darkest parts of himself and eventually succumbed, leaving behind a singular body of work that reveals a passion and dedication to the craft we have rarely seen since.

On behalf of all Tennesseans, it is my honor to celebrate these men for their contributions to the gift that is country music.•

TRIBUTE TO THE HUNEYCUTT FAMILY

• Mr. BOOZMAN. Madam President, I rise today to congratulate the Huneycutt family for earning the distinction of Arkansas Farm Family of the year.

This honor reflects the dedication of brothers Ted and Steve Huneycutt to farming and the important role they play in Arkansas' No. 1 industry. Ted and his wife Cindy have four children: Sara, Trey, Luke, and Greyson. Steve and his wife Leanne also have four children: Josh, Jessica, Ashley, and Logan. The family has been farming in Clark County since 1882.

On their 4,000-acre farm, the Huneycutts raise cattle and grow cotton, wheat, corn, soybeans, and hay. They also operate the Barn at Richwoods and Benchmark Ag, a risk management service providing producers with cash sale recommendations along with commodity futures, options and crop insurance. The Huneycutts are in the process of launching Ouachita Valley Meat Company, which will provide producers the products and processing capabilities to sell their own products.

The family is committed not only to farming and producing safe supplies of food and fiber to the world, but also to serving their community by lending their time and skills to numerous boards and committees.

The Arkansas Farm Bureau's program honors farm families across the State for their outstanding work on their farms and their positive impact and work on behalf of their neighbors. This recognition is a reflection of their contributions to agriculture at the local and State level and its implications for improved farm practices and management. The Huneycutts are well-deserving of this honor, and I wish them luck as they compete in the Sunbelt Expo Southeastern Farmer of the Year program next year.

I congratulate Ted, Steve, Cindy, Leanne, and their children on their exceptional achievements in agriculture and ask my colleagues to join me in honoring them for this accomplishment. I wish them continued success in their future endeavors and look forward to the contributions they will continue to offer Arkansas farming and agriculture.•

TRIBUTE TO TIMMYE CROWLEY

• Mr. DAINES. Madam President, today I have the distinct honor of recognizing Timmye Crowley of the U.S. Postal Service in Yellowstone County for her dedication to serving her fellow Montanans and a unique act of kindness that saved a man's life.

Timmye has worked for the U.S. Postal Service for more than 20 years, delivering countless letters and packages to the people of Montana. Recently, on her day off, she decided to extend a helping hand during this busy season by making additional deliveries along her normal route. As she approached a house which she knew belonged to an elderly resident, she decided to walk up to the front door to personally deliver this man's mail, in an effort to avoid the man potentially falling on the icy sidewalks, which are a common sight during Montana winters.

Upon reaching the front door, Timmye realized smoke was billowing out of the house and suspected there was a fire inside. She saw through the window that the man was asleep in a chair and promptly began pounding on the door to wake him up to ensure he would not get hurt. The man was hard of hearing, so he was unaware of the smoke detector alarms. He soon woke up and walked to the front door as Timmye called 9–1-1. First responders arrived on the scene shortly, and the man was no longer in danger.

Thanks to Timmye's efforts, a potentially fatal outcome was avoided. It is my distinct honor to recognize Timmye Crowley for her passion and willingness to go the extra mile serving the Billings community. Keep up the great work, Timmye. You make Montana proud.•

RECOGNIZING JUST FOR YOU BOUTIQUE

• Mr. PAUL. Madam President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Kentucky small business that exemplifies the American entrepreneurial spirit. This week, it is my privilege to recognize Just For You Boutique of Frankfort, KY, as the Senate Small Business of the Week.

Across the country you will not find two small businesses with the same origin story. In most cases, the tale behind how one gets started is just as unique as the business itself. Such is the story of Nicole Boyd's business, Just For You Boutique. Nicole, a native of the Bluegrass State, was driving through its capital when she found herself stopped at a red light. As she gazed out the window towards an empty storefront, she couldn't help but notice a big ''Available for Sale or Rent'' sign in the window. It was in that moment that Nicole decided that she would open her own clothing store, right there in that location. Sometimes, all it takes is a self-starting individual to make their dream a reality, as is the case with Nicole. Not long after that fateful stop in Frankfort traffic, Just For You Boutique opened up on March 8, 2016.

As an active member of the community, Nicole's favorite aspect of owning her own business is that it enables her to really engage with the people of Frankfort, as she is constantly seeing

friends and neighbors walk through her doors. Moreover, Nicole understands that successful businesses put their community first. She often collaborates with other small businesses around Frankfort to offer products and experiences that are unique to Kentucky and to Frankfort specifically. Nicole offers a wide variety of goods in her store, from fashion-forward apparel and jewelry to everyday home goods that could liven up any living space. Nicole pays special mind to feature homegrown Kentucky products, between coffee grinds made by local brewers and handcrafted artisanal soaps from local companies, Nicole makes Kentucky vendors her merchandise mainstay. Given the wide variety of goods she keeps in store, it would only make sense that Nicole would choose to name her boutique Just For You as it is a place where anyone, whether shopping for a gift or for themselves, can find something that is uniquely for them.

Part of what makes Just For You Boutique so special is that Nicole understands that strength often comes in numbers. She jumps at every opportunity to amplify her store by collaborating with other small businesses around the State capital, thereby growing the customer base for businesses across Main Street. Just this past Halloween, Nicole participated in a ''Trunk-or-Treat'' trunk show where small businesses all around Frankfort came together in a local park to brave the autumn rain and sell their goods. The Halloween trunk show was just one of many community events that Just For You participates in, as they also enjoy vending their goods at other Frankfort festivals and events. Nicole has even offered a unique promotion where customers can show their receipts from other local businesses to receive 10 percent off their purchase from Just For You Boutique. As an entrepreneur, it is clear the Nicole looks beyond the success of her own storefront and works to support those operating around her.

Not only does Nicole do her best to support other small businesses around Frankfort, she runs her store with a charitable heart. When a young lady around Frankfort was diagnosed with breast cancer, Nicole jumped into action. Suzanna, who had spent a lot of time inside Just For You Boutique, designed shirts emblazoned with a pink cancer ribbon with the hashtag #SuzannaStrong. In a show of support for Suzanna, Nicole printed shirt with her design and began selling them in her store, with all proceeds from the sales going towards the cost of Suzanna's medical treatment. It is acts of kindness such as these that sets Just For You Boutique apart from other businesses, as Nicole keeps her finger on the pulse of developments around the community and always keeps an ear out for those in need. I want to commend Nicole on making her dream of owning her own a store a reality and thank her for all that she does to support small businesses. Congratulations to Nicole Boyd along with the entire team at Just For Your Boutique. I look forward to seeing your continued growth and success in Kentucky.●

MESSAGES FROM THE HOUSE

At 10:04 a.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. 7. An act to make a technical amendment to the Violence Against Women Act of 1994, and for other purposes.

S. 2899. An act to require the Director of the Bureau of Prisons to address deficiencies and make necessary upgrades to the security camera and radio systems of the Bureau of Prisons to ensure the health and safety of employees and inmates.

S. 2991. An act to establish a Department of Homeland Security Center for Countering Human Trafficking, and for other purposes.

S. 3905. An act to prevent organizational conflicts of interest in Federal acquisition, and for other purposes.

S. 4003. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for training on alternatives to use of force, de-escalation, and mental and behavioral health and suicidal crises.

S. 5230. An act to increase accessibility to the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, and for other purposes.

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

H.R. 1082. An act to prohibit the unauthorized sale of ride-hailing signage and study the incidence of fatal and non-fatal assaults in TNC and for-hire vehicles in order to enhance safety and save lives.

H.R. 5349. An act to designate the facility of the United States Postal Service located at 1550 State Road S–38–211 in Orangeburg, South Carolina, as the ''J.I. Washington Post Office Building''.

H.R. 6218. An act to designate the facility of the United States Postal Service located at 317 Blattner Drive in Avon, Minnesota, as the ''W.O.C. Kort Miller Plantenberg Post Office''.

H.R. 6220. An act to designate the facility of the United States Postal Service located at 100 3rd Avenue Northwest in Perham, Minnesota, as the ''Charles P. Nord Post Office''.

H.R. 6221. An act to designate the facility of the United States Postal Service located at 155 Main Avenue West in Winsted, Minnesota, as the ''James A. Rogers Jr. Post Office''.

H.R. 6611. An act to authorize the Government of France to establish a commemorative work in the District of Columbia and its environs to honor the extraordinary contributions of Jean Monnet to restoring peace between European nations and establishing the European Union, and for other purposes.

H.R. 6630. An act to designate of the United States Postal Service located at 1400 N Kraemer Blvd. in Placentia, California, as the ''PFC Jang Ho Kim Post Office Building''.

H.R. 6725. An act to change the address of the Marilyn Monroe Post Office, and for other purposes.

H.R. 7832. An act to designate the facility of the United States Postal Service located at 396 South California Avenue in West Covina, California, as the ''Esteban E. Torres Post Office Building''.

H.R. 8665. An act to amend title 44, United States Code, to remove pronouns from such title that reference the Archivist, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 123. Concurrent resolution providing for a correction in the enrollment of H.R. 1437.

H. Con. Res. 124. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 2617.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 1437) to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message further announced that the House agreed to the amendments numbered 1, 2, 3, and 5 to the bill (H.R. 2617) to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes, and that the House agreed to the amendment numbered 4 of the Senate, with an amendment, in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

At 3:24 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 bills:

S. 1617. An act to modify the requirements for the Administrator of the Small Business Administration relating to declaring a disaster in a rural area, and for other purposes.

S. 2796. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the eligibility of rural community response pilot programs for funding under the Comprehensive Opioid Abuse Grant Program, and for other purposes.

S. 3092. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of certain disaster assistance, and for other purposes.

S. 3115. An act to remove the 4–year sunset from the Pro bono Work to Empower and Represent Act of 2018.

S. 3499. An act to amend the Post-Katrina Emergency Management Reform Act of 2006 to repeal certain obsolete requirements, and for other purposes.

S. 3662. An act to temporarily increase the cost share authority for aqueous film forming foam input-based testing equipment, and for other purposes.

S. 3825. An act to designate the facility of the United States Postal Service located at 3903 Melear Drive in Arlington, Texas, as the ''Ron Wright Post Office Building''.

S. 3875. An act to require the President to develop and maintain products that show the risk of natural hazards across the United States, and for other purposes.

S. 4017. An act to designate the United States courthouse located at 111 South Highland Avenue in Jackson, Tennessee, as the ''James D. Todd United States Courthouse'', and for other purposes.

S. 4052. An act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children, and for other purposes.

S. 4834. An act to reauthorize the National Internet Crimes Against Children Task Force Program.

S. 5060. An act to redesignate the Federal building located at 212 Third Avenue South in Minneapolis, Minnesota, as the ''Paul D. Wellstone Federal Building'', and for other purposes.

H.R. 228. An act to designate the facility of the United States Postal Service located at 2141 Ferry Street in Anderson, California, as the ''Norma Comnick Post Office Building''.

H.R. 263. An act to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act, to further the conservation of certain wildlife species, and for other purposes.

H.R. 310. An act to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

H.R. 700. An act to designate the facility of the United States Postal Service located at 303 East Mississippi Avenue in Elwood, Illinois, as the ''Lawrence M. 'Larry' Walsh Sr. Post Office''.

H.R. 1193. An act to amend title IV of the Public Health Service Act to direct the Director of the National Institutes of Health, in consultation with the Director of the National Heart, Lung, and Blood Institute, to establish a program under which the Director of the National Institutes of Health shall support or conduct research on valvular heart disease, and for other purposes.

H.R. 2220. An act to amend title 40, United States Code, to modify the treatment of certain bargain-price options to purchase at less than fair market value, and for other purposes.

H.R. 2930. An act to enhance protections of Native American tangible cultural heritage, and for other purposes.

H.R. 3175. An act to designate the facility of the United States Postal Service located at 135 Main Street in Biloxi Mississippi, as the ''Robert S. McKeithen Post Office Building''.

H.R. 3462. An act to require an annual report on the cybersecurity of the Small Business Administration, and for other purposes.

H.R. 5481. An act to name the Department of Veterans Affairs community-based outpatient clinic in Forest City, North Carolina, as the ''Master Sergeant Jerry K. Crump VA Clinic''.

H.R. 5796. An act to amend title 35, United States Code, to establish a competition to award certificates that can be redeemed to accelerate certain matters at the Patent and Trademark Office, and for other purposes.

H.R. 6614. An act to designate the facility of the United States Postal Service located at 4744 Grand River Avenue in Detroit, Michigan, as the ''Rosa Louise McCauley Parks Post Office Building''.

H.R. 6722. An act to designate the Department of Veterans Affairs communitybased outpatient clinic in French Camp, California, as the ''Richard A. Pittman VA Clinic''.

H.R. 6863. An act to designate the medical center of the Department of Veterans Affairs in Memphis, Tennessee, as the ''Lt. Col. Luke Weathers, Jr. VA Medical Center''.

H.R. 7077. An act to require the United States Fire Administration to conduct onsite investigations of major fires, and for other purposes.

H.R. 7535. An act to encourage the migration of Federal Government information technology systems to quantum-resistant cryptography, and for other purposes.

H.R. 7903. An act to designate the Department of Veterans Affairs communitybased outpatient clinic located in Canton, Michigan, as the ''Major General Oliver W. Dillard VA Clinic''.

H.R. 7925. An act to designate the Department of Veterans Affairs communitybased outpatient clinic located in Palm Desert, California, as the ''Sy Kaplan VA Clinic''.

The enrolled bills were subsequently signed by the President pro tempore (Mr. LEAHY).

At 3:44 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, in which it requests the concurrence of the Senate:

H.R. 1948. An act to amend title 38, United States Code, to modify authorities relating to the collective bargaining of employees in the Veterans Health Administration.

H.R. 8393. An act to enable the people of Puerto Rico to choose a permanent, nonterritorial, fully self-governing political status for Puerto Rico and to provide for a transition to and the implementation of that permanent, nonterritorial, fully self-governing political status, and for other purposes.

PRIVILEGED NOMINATIONS REFERRED TO COMMITTEE

On request by Senator JAMES E. RISCH, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on Foreign Relations: Janet Keller, of California, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2023, vice Elizabeth F. Bagley, term expired.

On request by Senator JAMES E. RISCH, under the authority of S. Res. 116, 112th Congress, the following nomination was referred to the Committee on Foreign Relations: Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2023, vice Lyndon L. Olson, Jr., term expired.

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–5852. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Department of Defense Agency Financial Report for fiscal year 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5853. A communication from the President and CEO, Inter-American Foundation, transmitting, pursuant to law, the Foundation's Annual Management Report for fiscal year 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5854. A communication from the Deputy Associate Administrator for Legislative and Intergovernmental Affairs, National Aeronautics and Space Administration, transmitting, pursuant to law, the Administration's Agency Financial Report for fiscal year 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5855. A communication from the Senior Official Performing the Duties of the Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, the Department's Agency Financial Report for fiscal year 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5856. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5857. A communication from the Treasurer, National Gallery of Art, transmitting, pursuant to law, the Gallery's Performance and Accountability Report for the year ended September 30, 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5858. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5859. A communication from the Chair of the Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and the Semiannual Management Report for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5860. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3543-EM in the State of Louisiana having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–5861. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3569-EM in the State of Mississippi having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–5862. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA–3568-EM in the State of Louisiana having exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC–5863. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal entitled ''Transfer

of administrative jurisdiction over certain parcels of federal land in Harpers Ferry, West Virginia''

EC–5864. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, the Department's Semiannual Report of the Inspector General for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5865. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semiannual Report of the Inspector General and the Semiannual Management Report on the Status of Audits for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5866. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2022, including the Office of Inspector General's Auditor's Report; to the Committee on Homeland Security and Governmental Affairs.

EC–5867. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Semiannual Report of the Inspector General for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5868. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Semiannual Report of the Inspector General for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5869. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2022 through September 30, 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5870. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2022 through September 30, 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5871. A communication from the Public and Legislative Affairs Officer, Privacy and Civil Liberties Oversight Board, transmitting, pursuant to law, the Board's Agency Financial Report for fiscal year 2022 received in the Office of the President pro tempore of the Senate; to the Committee on Homeland Security and Governmental Affairs.

EC–5872. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5873. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, six (4) reports relative to vacancies in the Office of Management and Budget, received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5874. A communication from the Chair of the Securities and Exchange Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General and a Management Report for the period from April 1, 2022 through September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5875. A communication from the Acting Chairman, Merit Systems Protection Board, transmitting, pursuant to law, the Board's Agency Financial Report for fiscal year 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5876. A communication from the Director of Financial Management, Department of Transportation, transmitting, pursuant to law, the Department's Agency Financial Report for fiscal year 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5877. A communication from the Treasurer, National Gallery of Art, transmitting, pursuant to law, the Gallery's Performance and Accountability Report for the year ended September 30, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5878. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's Agency Financial Report for fiscal year 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5879. A communication from the Chair of the Federal Trade Commission, transmitting, pursuant to law, the Commission's Semiannual Report of the Inspector General for the period from April 1, 2022 through September 30, 2022 and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC–5880. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2023–01, Introduction'' (FAC 2023–01) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2022; to the Committee on Homeland Security and Governmental Affairs.

EC–5881. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Amineptine in Schedule I'' ((21 CFR Part 1308) (Docket No. DEA–371)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on the Judiciary.

EC–5882. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Default Provisions for Hearing Proceedings Relating to the Revocation, Suspension, or Denial of a Registration'' ((RIN117–AB36) (Docket No. DEA–438)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on the Judiciary.

EC–5883. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Specific Listing for 1-boc-4-AP, a Currently Controlled List I Chemical'' ((21 CFR Part 1310) (Docket No. DEA–1046)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on the Judiciary.

EC–5884. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Ganaxolone in Schedule V'' ((21 CFR Part 1308) (Docket No. DEA–990)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on the Judiciary.

EC–5885. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Technical Correction to Regulation Regarding Registration Exception for Officials'' ((21 CFR Part 1301) (Docket No. DEA–555)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on the Judiciary.

EC–5886. A communication from the Section Chief of the Diversion Control Division, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of Daridorexant in Schedule IV'' ((21 CFR Part 1308) (Docket No. DEA–949)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on the Judiciary.

EC–5887. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revised Filling and Reporting Requirements for Interstate Natural Gas Company Rate Schedules and Tariffs'' (Docket No. RM21–18–000) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Energy and Natural Resources.

EC–5888. A communication from the Deputy Chief, National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the final maps and perimeter boundary descriptions for the enclosed Wild and Scenic Rivers; to the Committee on Energy and Natural Resources.

EC–5889. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Ceiling Fans'' (RIN1904–AD88) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Energy and Natural Resources.

EC–5890. A communication from the General Counsel, National Indian Gaming Commission, transmitting, pursuant to law, the report of a rule entitled ''Audit Standards'' (RIN3141–AA68) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2022; to the Committee on Indian Affairs.

EC–5891. A communication from the Director of Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled ''Internet Communication Disclaimers and Definition of 'Public Communication'" (Notice 2022–22) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Rules and Administration.

EC–5892. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''National Service Life Insurance (NSLI)—Veterans Affairs Life Insurance Program Amendments'' (RIN2900–AR53) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Veterans' Affairs.

EC–5893. A communication from the Regulation Development Coordinator, Office of

Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''VA Acquisition Regulation: Department of Veterans Affairs Acquisition Regulation System and Research and Development'' (RIN2900–AQ23) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2022; to the Committee on Veterans' Affairs.

EC–5894. A communication from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Readjustment Counseling Scholarship Program'' (RIN2900–AR31) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Veterans' Affairs.

EC–5895. A communication from the Attorney for Regulatory Affairs Division, Office of the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Safety Standard for Infant Bouncer Seats'' (Docket No. CPSC–2015–0028) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Commerce, Science, and Transportation.

EC–5896. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Update to Publication for Television Broadcast Station DMA Determinations for Cable and Satellite Carriage'' ((MB Docket No. 22–239) (FCC 22–89)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Commerce, Science, and Transportation.

EC–5897. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4030'' ((RIN2120–AA65) (Docket No. 31452)) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Commerce, Science, and Transportation.

EC–5898. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tetraniliprole; Pesticide Tolerances'' (FRL No. 10296–01–OCSPP) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5899. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Propyzamide; Extension of Tolerance for Emergency Exemption'' (FRL No. 10484–01–OCSPP) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5900. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Implementing Provisions of the Agriculture Improvement Act of 2018'' (RIN0572–AC49) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5901. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Electric Program Streamline and Improvement'' (RIN0572–AC57) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5902. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Rural Broadband Loans, Loan/Grant Combinations, and Loan Guarantees'' (RIN0572–AC46) received in the Office of the President of the Senate on December 13, 2022; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5903. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13851 with respect to Nicaragua; to the Committee on Banking, Housing, and Urban Affairs.

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. 419. A bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers (Rept. No. 117–260).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1350. A bill to require the Secretary of Homeland Security to establish a national risk management cycle, and for other purposes (Rept. No. 117–261).

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

S. 3897. A bill to require the reduction of the reliance and expenditures of the Federal Government on legacy information technology systems, and for other purposes (Rept. No. 117–262).

S. 4328. A bill to modify the fire management assistance cost share, and for other purposes (Rept. No. 117–263).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 4477. A bill to amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes (Rept. No. 117–264).

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

S. 4816. A bill to require the Archivist of the United States to submit to Congress a comprehensive plan for reducing the backlog of requests for records from the National Personnel Records Center, and for other purposes (Rept. No. 117–265).

By Mr. PETERS, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 4930. A bill to prohibit Federal procurement from companies operating in the Russian Federation, and for other purposes (Rept. No. 117–266).

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1541. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to ensure just and reasonable charges for telephone and advanced communications services in correctional and detention facilities.

S. 1628. A bill to amend the Children's Online Privacy Protection Act of 1998 to strengthen protections relating to the online collection, use, and disclosure of personal information of children and minors, and for other purposes.

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment:

S. 3405. A bill to require the Federal Communications Commission to issue a rule providing that certain low power television stations may be accorded primary status as Class A television licensees, and for other purposes.

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3663. A bill to protect the safety of children on the internet.

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 4101. A bill to require the Secretary of Commerce to provide training and guidance relating to human rights abuses, including such abuses perpetrated against the Uyghur population by the Government of the People's Republic of China, and for other purposes.

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 4237. A bill to establish and maintain a coordinated program within the National Oceanic and Atmospheric Administration that improves wildfire, fire weather, fire risk, and smoke related forecasting, detection, modeling, observations, and service delivery, and to address growing needs in the wildland-urban interface, and for other purposes.

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment:

S. 4321. A bill to amend the Save Our Seas 2.0 Act to improve the administration of the Marine Debris Foundation, to amend the Marine Debris Act to improve the administration of the Marine Debris Program of the National Oceanic and Atmospheric Administration, and for other purposes.

By Ms. CANTWELL, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 4802. A bill to authorize appropriations for the Coast Guard, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MERKLEY:

S. 5264. A bill to amend the Bank Holding Company Act of 1956 to prohibit bank holding companies from facilitating fossil fuel production from new sources, or from facilitating transactions that would provide funds for the construction of new or expanded fossil infrastructure that would drive such production, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO:

S. 5265. A bill to require a strategy for countering the People's Republic of China; to the Committee on Foreign Relations.

By Mr. KAINE (for himself and Ms. COLLINS):

S. 5266. A bill to reauthorize the program for infant and early childhood mental health promotion, intervention, and treatment; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself and Mr. MARSHALL):

S. 5267. A bill to require the Financial Crimes Enforcement Network to issue guidance on digital assets, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ (for himself and Ms. COLLINS):

S. 5268. A bill to direct the Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, to take certain steps to increase clinical trial diversity, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. CRAMER, Ms. ERNST, Mr. MARSHALL, Mr. INHOFE, Mrs. HYDE-SMITH, Mr. MORAN, Mr. RUBIO, Mrs. BLACKBURN, Mrs. FISCHER, Mr. BARRASSO, Mr. SCOTT of Florida, Mr. RISCH, Mr. CRAPO, Mr. CRUZ, and Mr. LANKFORD):

S. 5269. A bill to prohibit the Department of Defense from requiring contractors to provide information relating to greenhouse gas emissions; to the Committee on Armed Services.

By Mr. SCHATZ:

S. 5270. A bill to amend title 13, United States Code, to imporve the operations of the Bureau of the Census, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 5271. A bill to establish the American Worker Retirement Plan, improve the financial security of working Americans by facilitating the accumulation of wealth, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself and Ms. COLLINS):

S. 5272. A bill to amend title XVIII of the Social Security Act to expand access to psychological and behavioral services; to the Committee on Finance.

By Mr. RUBIO:

S. 5273. A bill to require a determination of whether certain Chinese entities are responsible for human rights abuses that meet the criteria for the imposition of sanctions under the Global Magnitsky Human Rights Accountability Act or the Uyghur Human Rights Policy Act of 2020; to the Committee on Foreign Relations.

By Mr. DURBIN:

S. 5274. A bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY (for himself and Ms. STABENOW):

S. 5275. A bill to require that certain aspects of bridge projects be carried out by certified contractors, and for other purposes; to the Committee on Environment and Public Works.

By Ms. DUCKWORTH (for herself, Mrs. MURRAY, Mrs. GILLIBRAND, and Ms. BALDWIN):

S. 5276. A bill to prohibit the limitation of access to assisted reproductive technology, and all medically necessary care surrounding such technology; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. MARKEY, Mr. MURPHY, Mr. SANDERS, Ms. KLOBUCHAR, Ms. SMITH, Mr. SCHATZ, and Ms. WARREN):

S. 5277. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 5278. A bill to amend the Plant Protection Act to require the publication of information on violations of wood packaging material regulations, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN:

S. 5279. A bill to establish a pilot program to address technology-related abuse in domestic violence cases; to the Committee on the Judiciary.

By Mr. TOOMEY (for himself and Mr. HAGERTY):

S. 5280. A bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY (for himself, Mr. VAN HOLLEN, Mr. PADILLA, Mr. BOOKER, and Mr. MENENDEZ):

S. 5281. A bill to amend the Higher Education Act of 1965 to promote the matriculation, and increase in the graduation rates, of individuals with disabilities within higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET:

S. 5282. A bill to amend the Immigration and Nationality Act to provide for terms and conditions for nonimmigrant workers performing agricultural labor or services, and for other purposes; to the Committee on Finance.

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

S. 5283. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Little Manatee River in the State of Florida for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 5284. A bill to improve the public health response to addressing maternal mortality and morbidity during the COVID–19 public health emergency; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN (for himself, Mr. WHITEHOUSE, and Ms. KLOBUCHAR):

S. 5285. A bill to extend the residential treatment program for pregnant and postpartum women pilot program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LUMMIS:

S. 5286. A bill to provide for the strengthening of the supervision of digital asset markets by self-regulatory organizations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN (for himself, Mr. WARNER, Mr. BLUNT, and Ms. KLOBUCHAR):

S. 5287. A bill to jump-start economic recovery through the formation and growth of new businesses, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. BLUNT, and Mrs. CAPITO):

S. 5288. A bill to require executive agencies and Federal courts to comply with address confidentiality programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 5289. A bill to create a moratorium on the government use of facial recognition technology until a Commission recommends the appropriate guidelines and limitation for use of facial recognition technology; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. PORTMAN, and Mrs. CAPITO):

S. 5290. A bill to require an evaluation of the implementation of the STOP Act of 2018, and for other purposes; to the Committee on Finance.

By Mrs. CAPITO:

S. 5291. A bill to delay the implementation of the modifications of exceptions for reporting of third party network transactions; to the Committee on Finance.

By Ms. DUCKWORTH:

S. 5292. A bill to protect and expand access to donor milk, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURBIN (for himself, Ms. WARREN, Mr. SANDERS, Mr. MERKLEY, Ms. HIRONO, Mr. MARKEY, Mr. VAN HOLLEN, and Mr. BLUMENTHAL):

S.J. Res. 67. A joint resolution proposing an amendment to the Constitution of the United States relative to the fundamental right to vote; to the Committee on the Judiciary.

By Mr. BRAUN (for himself, Mr. HAGERTY, Mr. LANKFORD, Mr. BURR, and Mr. KENNEDY):

S.J. Res. 68. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to ''Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights''; to the Committee on Health, Education, Labor, and Pensions.

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

S.J. Res. 69. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct election of the President and Vice President of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 424

At the request of Mr. MARKEY, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 424, a bill to establish in the Bureau of Democracy, Human Rights, and Labor of the Department of State a Special Envoy for the Human Rights of LGBTQI Peoples, and for other purposes.

S. 754

At the request of Ms. BALDWIN, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Montana (Mr. TESTER), the Senator from California (Mr. PADILLA), the Senator from New York (Mrs. GILLIBRAND), the Senator from West Virginia (Mr. MANCHIN), the Senator from Arizona (Mr. KELLY), the Senator from New Mexico (Mr. LUJÁN), the Senator from Delaware (Mr. CARPER), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from New Hampshire (Ms. HASSAN), the Senator from Illinois (Mr. DURBIN), the Senator from Oregon (Mr. WYDEN), the Senator from Georgia (Mr. WARNOCK), the Senator from Illinois (Ms. DUCKWORTH), the Senator from New Mexico (Mr. HEINRICH), the Senator from Delaware (Mr. COONS), the Senator from Hawaii (Ms. HIRONO), the

Senator from California (Mrs. FEINSTEIN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 754, a bill to provide health insurance benefits for outpatient and inpatient items and services related to the diagnosis and treatment of a congenital anomaly or birth defect.

S. 1157

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor 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. 2044

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2044, a bill to amend the Fair Labor Standards Act of 1938 to prohibit employment of children in tobacco-related agriculture by deeming such employment as oppressive child labor.

S. 2076

At the request of Mr. BENNET, the name of the Senator from Pennsylvania (Mr. CASEY) was withdrawn as a cosponsor of S. 2076, a bill to establish a program to develop antimicrobial innovations targeting the most challenging pathogens and most threatening infections.

At the request of Mr. BENNET, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2076, supra.

S. 2569

At the request of Mrs. GILLIBRAND, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2569, a bill to enhance the rights of domestic workers, and for other purposes.

S. 3238

At the request of Mr. CASEY, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 3238, a bill to assist employers providing employment under special certificates issued under section 14(c) of the Fair Labor Standards Act of 1938 in transforming their business and program models to models that support people with disabilities through competitive integrated employment, to phase out the use of such special certificates, and for other purposes.

S. 3546

At the request of Mr. HAGERTY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 3546, a bill to amend the Internal Revenue Code of 1986 to repeal the amendments made to reporting of third party network transactions by the American Rescue Plan Act of 2021.

S. 3797

At the request of Mr. MERKLEY, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 3797, a bill to amend title V of the Social Security Act to support stillbirth prevention and research, and for other purposes.

S. 4009

At the request of Mr. CASEY, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 4009, a bill to amend title XVIII of the Social Security Act to rebase the calculation of payments for sole community hospitals and Medicare-dependent hospitals, and for other purposes.

S. 4105

At the request of Mr. BROWN, the names of the Senator from Tennessee (Mr. HAGERTY) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 4105, a bill to treat certain liquidations of new motor vehicle inventory as qualified liquidations of LIFO inventory for purposes of the Internal Revenue Code of 1986.

S. 4260

At the request of Ms. BALDWIN, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Delaware (Mr. COONS), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 4260, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 4587

At the request of Mrs. GILLIBRAND, the names of the Senator from Alabama (Mr. TUBERVILLE), the Senator from Utah (Mr. ROMNEY), the Senator from Indiana (Mr. YOUNG), the Senator from North Dakota (Mr. CRAMER), the Senator from Missouri (Mr. HAWLEY), the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 4587, a bill to award a Congressional Gold Medal to Benjamin Berell Ferencz, in recognition of his service to the United States and international community during the post-World War II Nuremberg trials and lifelong advocacy for international criminal justice and rule of law.

S. 5008

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 5008, a bill to promote affordable access to evidence-based opioid treatments under the Medicare program and require coverage of medication assisted treatment for opioid use disorders, opioid overdose reversal medications, and recovery support services by health plans without cost-sharing requirements.

S. 5104

At the request of Mrs. FISCHER, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from New Mexico (Mr. LUJÁN) were added as cosponsors of S. 5104, a bill to amend the Elementary and Secondary Education Act of 1965 to require the National Advisory Council on Indian Education to include at least 1 member who is the president of a Tribal College or University and to require the Secretaries of Education and Interior to consider the National Advisory Council on Indian Education's reports in the preparation of budget materials.

S. 5112

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 5112, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th Anniversary of the United States Marine Corps, and to support programs at the Marine Corps Heritage Center.

S. RES. 803

At the request of Mr. COONS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 803, a resolution condemning the detention and death of Mahsa Amini and calling on the Government of Iran to end its systemic persecution of women.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself and Ms. COLLINS):

S. 5266. A bill to reauthorize the program for infant and early childhood mental health promotion, intervention, and treatment; to the Committee on Health, Education, Labor, and Pensions.

Mr. KAINE. Mr. President, the COVID–19 pandemic has amplified the need to expand mental health services for children in the United States. More than 20 percent of parents with children aged 5–12 years reported that their children experienced worsened mental or emotional health as a result of the pandemic. In Virginia, one in five children experience symptoms of a mental health disorder. Schools, childcare settings, and communities are in need of additional support to address the needs of our Nation's children and families.

Early identification and intervention for emotional or behavioral disorders for infants and young children may help to prevent more severe mental health issues in later youth and adulthood. That is why Senator COLLINS and I are introducing the Investing in Infant and Early Childhood Mental Health Act to reauthorize the Infant and Early Childhood Mental Health—IECMH—program through the Substance Abuse and Mental Health Services Administration, SAMHSA. First

authorized in 2016 under the 21st Century Cures Act, the goal of the IECMH program is to improve outcomes for children, from birth up to 12 years of age, by developing, maintaining, or enhancing infant and early childhood mental health promotion, intervention, and treatment services.

Since 2018, SAMHSA has provided $20 million in funding to support infant and early childhood mental health programs across the country. This funding has been used to train the mental health workforce and provide screenings and referrals for evidence-based mental health services for children and families. To date, grantees have trained nearly 10,000 mental health professionals and screened over 17,000 children and families.

Reauthorizing the IECMH program will allow SAMSHA to continue this important work to address childhood mental health through fiscal year 2027. The bill also includes a $30 million increase in funding to expand these services and would allow SAMSHA to provide technical assistance to grantees, either directly or through grants or contracts to nonprofit entities. Language to reauthorize the IECMH program was included in the Supporting Children's Mental Health Care Access Act of 2022 introduced by Representatives KIM SCHRIER and MARIANNETTE MILLER-MEEKS, which was included in the Restoring Hope for Mental Health and Well-Being Act that passed out of the House in June 2022. I urge my colleagues to support this bill so we can continue to address the mental health crisis among our children.

By Mr. DURBIN:

S. 5274. A bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

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

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

S. 5274

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

SECTION 1. REINSTATEMENT OF PENALTIES FOR CHARGING VETERANS UNAUTHORIZED FEES RELATING TO CLAIMS FOR BENEFITS UNDER LAWS ADMINISTERED BY THE SECRETARY OF VETERANS AFFAIRS.

Section 5905 of title 38, United States Code, is amended—

(1) in the section heading, by striking ''**Penalty**'' and inserting ''**Penalties**'' (and conforming the table of sections at the beginning of chapter 59 of such title accordingly);

(2) by striking ''Whoever'' and inserting the following:

''(a) WITHHOLDING OF BENEFITS.—Whoever''; and

(3) by adding at the end the following new subsection:

''(b) CHARGING OF UNAUTHORIZED FEES.—Except as provided in sections 5904 or 1984 of this title, whoever solicits, contracts for, charges, or receives, or attempts to solicit, contract for, charge, or receive, any fee or compensation with respect to the preparation, presentation, or prosecution of any claim for benefits under the laws administered by the Secretary shall be fined as provided in title 18.''.

SEC. 2. LIMITATION ON ATTORNEY FEES FOR FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE, NORTH CAROLINA.

Section 804 of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 (Public Law 117–168; 28 U.S.C. 2671 note prec.) is amended by adding at the end the following new subsection:

''(k) ATTORNEY FEES.—

''(1) LIMITATIONS.—No legal representative of an individual who brings an action under subsection (b) or who presents a claim under section 2675 of title 28, United States Code, pursuant to subsection (h) shall charge, demand, receive, or collect for services rendered in bringing such action or presenting such claim, fees in excess of—

''(A) 20 percent of an award, compromise, or settlement made or reached within 180 days after presenting a claim under section 2675 of title 28, United States Code, pursuant to subsection (h); and

''(B) 33.3 percent on a claim that is resolved by settlement, compromise, or judgement after the initiation of an action.

''(2) TERMS FOR PAYMENT OF FEES.—Any judgment rendered, settlement entered, compromise made, or other award made with respect to an action brought under subsection (b) or a claim presented under section 2675 of title 28, United States Code, pursuant to subsection (h) by a legal representative of an individual shall require the following:

''(A) All funds from the judgment, settlement, compromise, or other award shall be deposited into an account held in trust for the individual in accordance with all applicable provisions of State law.

''(B) The legal representative shall—

''(i) once any funds described in subparagraph (A) have been deposited into an account pursuant to such subparagraph, notify the individual of such deposit; and

''(ii) promptly deliver to such individual such amount of such funds as the individual is entitled to receive.

''(C) That no funds shall be paid from the account described in subparagraph (A) to a legal representative of the individual as compensation for services rendered to such individual until the relevant funds from such account have been disbursed to the individual in accordance with subparagraph (B).

''(3) PENALTIES.—

''(A) FEE LIMITATIONS.—Any legal representative who charges, demands, receives, or collects for services rendered in connection with an action under subsection (b) or a claim under section 2675 of title 28, United States Code, pursuant to subsection (h), any amount in excess of that allowed under paragraph (1) of this subsection, if recovery be had, shall be fined not more than $5,000.

''(B) TERMS FOR PAYMENT.—Failure of a legal representative subject to paragraph (2) to comply with a requirement of such paragraph shall be punishable consistent with the penalties provided in section 2678 of title 28, United States Code.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to annul, alter, affect, or exempt any person from complying with the laws of any State or locality with respect to the practice of law, except to the extent that those laws are inconsistent with any provision of this subsection, and then only to the extent of the inconsistency.''.

By Mr. DURBIN (for himself, Mr. MARKEY, Mr. MURPHY, Mr. SANDERS, Ms. KLOBUCHAR, Ms. SMITH, Mr. SCHATZ, and Ms. WARREN):

S. 5277. A bill to reform the financing of Senate elections, and for other purposes; to the Committee on Finance.

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

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

S. 5277

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Fair Elections Now Act of 2022''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—SMALL DONOR INCENTIVE PROGRAMS

Sec. 101. Sense of the Senate regarding small donor incentive programs.

TITLE II—SMALL DOLLAR FINANCING OF SENATE ELECTION CAMPAIGNS

Sec. 201. Eligibility requirements and benefits of fair elections financing of Senate election campaigns.

Sec. 202. Prohibition on joint fundraising committees.

Sec. 203. Exception to limitation on coordinated expenditures by political party committees with participating candidates.

TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION

Sec. 301. Petition for certiorari.

Sec. 302. Electronic filing of FEC reports.

TITLE IV—REVENUE PROVISIONS

Sec. 401. Freedom From Influence Fund revenue.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Severability.

Sec. 502. Effective date.

TITLE I—SMALL DONOR INCENTIVE PROGRAMS

SEC. 101. SENSE OF THE SENATE REGARDING SMALL DONOR INCENTIVE PROGRAMS.

It is the sense of the Senate that Congress should take steps to allow more Americans to fully participate in our democracy through authorizing publicly financed small donor incentive programs, including small-dollar voucher programs that broaden and diversify the number of Americans who are able to have their voice heard in the marketplace of ideas.

TITLE II—SMALL DOLLAR FINANCING OF SENATE ELECTION CAMPAIGNS

SEC. 201. ELIGIBILITY REQUIREMENTS AND BENEFITS OF FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS.

The Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following:

''TITLE V—FAIR ELECTIONS FINANCING OF SENATE ELECTION CAMPAIGNS

''Subtitle A—General Provisions

''SEC. 501. DEFINITIONS.

''In this title:

''(1) ALLOCATION FROM THE FUND.—The term 'allocation from the Fund' means an allocation of money from the Freedom From Influence Fund to a participating candidate pursuant to section 522.

''(2) COMMISSION.—The term 'Commission' means the Federal Election Commission.

''(3) ENHANCED MATCHING CONTRIBUTION.—The term 'enhanced matching contribution' means an enhanced matching payment provided to a participating candidate for qualified small dollar contributions, as provided under section 524.

''(4) ENHANCED SUPPORT QUALIFYING PERIOD.—The term 'enhanced support qualifying period' means, with respect to a general election, the period which begins 60 days before the date of the election and ends 14 days before the date of the election.

''(5) FAIR ELECTIONS QUALIFYING PERIOD.—The term 'Fair Elections qualifying period' means, with respect to any candidate for Senator, the period—

''(A) beginning on the date on which the candidate files a statement of intent under section 511(a)(1); and

''(B) ending on the date that is 30 days before—

''(i) the date of the primary election; or

''(ii) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

''(6) FAIR ELECTIONS START DATE.—The term 'Fair Elections start date' means, with respect to any candidate, the date that is 180 days before—

''(A) the date of the primary election; or

''(B) in the case of a State that does not hold a primary election, the date prescribed by State law as the last day to qualify for a position on the general election ballot.

''(7) FUND.—The term 'Fund' means the Freedom From Influence Fund established by section 502.

''(8) IMMEDIATE FAMILY.—The term 'immediate family' means, with respect to any candidate—

''(A) the candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(9) MATCHING CONTRIBUTION.—The term 'matching contribution' means a matching payment provided to a participating candidate for qualified small dollar contributions, as provided under section 523.

''(10) NONPARTICIPATING CANDIDATE.—The term 'nonparticipating candidate' means a candidate for Senator who is not a participating candidate.

''(11) PARTICIPATING CANDIDATE.—The term 'participating candidate' means a candidate for Senator who is certified under section 514 as being eligible to receive an allocation from the Fund.

''(12) QUALIFYING CONTRIBUTION.—The term 'qualifying contribution' means, with respect to a candidate, a contribution that—

''(A) is in an amount that is—

''(i) not less than $5; and

''(ii) not more than $200;

''(B) is made by an individual who is not otherwise prohibited from making a contribution under this Act;

''(C) is made during the Fair Elections qualifying period; and

''(D) meets the requirements of section 512(b).

''(13) QUALIFIED SMALL DOLLAR CONTRIBUTION.—The term 'qualified small dollar contribution' means, with respect to a candidate, any contribution (or series of contributions)—

''(A) which is not a qualifying contribution (or does not include a qualifying contribution);

''(B) which is made by an individual who is not prohibited from making a contribution under this Act; and

''(C) the aggregate amount of which does not exceed $200 per election.

''(14) QUALIFYING MULTICANDIDATE POLITICAL COMMITTEE CONTRIBUTION.—

''(A) IN GENERAL.—The term 'qualifying multicandidate political committee contribution' means any contribution to a candidate that is made from a qualified account of a multicandidate political committee (within the meaning of section 315(a)(2)).

''(B) QUALIFIED ACCOUNT.—For purposes of subparagraph (A), the term 'qualified account' means, with respect to a multicandidate political committee, a separate, segregated account of the committee that consists solely of contributions which meet the following requirements:

''(i) All contributions to such account are made by individuals who are not prohibited from making contributions under this Act.

''(ii) The aggregate amount of contributions from each individual to such account and all other accounts of the political committee do not exceed the amount described in paragraph (13)(C).

''SEC. 502. FREEDOM FROM INFLUENCE FUND.

''(a) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the 'Freedom from Influence Fund'.

''(b) AMOUNTS HELD BY FUND.—The Fund shall consist of the following amounts:

''(1) APPROPRIATED AMOUNTS.—

''(A) IN GENERAL.—Amounts appropriated to the Fund.

''(B) SENSE OF THE SENATE REGARDING APPROPRIATIONS.—It is the sense of the Senate that—

''(i) there should be imposed on any payment made to any person (other than a State or local government or a foreign nation) who has a contract with the Government of the United States in excess of $10,000,000 a tax equal to 0.50 percent of amount paid pursuant to each contract, except that the aggregate tax on each contract for any taxable year shall not exceed $500,000; and

''(ii) the revenue from such tax should be appropriated to the Fund.

''(2) VOLUNTARY CONTRIBUTIONS.—Voluntary contributions to the Fund.

''(3) OTHER DEPOSITS.—Amounts deposited into the Fund under—

''(A) section 513(c) (relating to exceptions to contribution requirements);

''(B) section 521(c) (relating to remittance of allocations from the Fund);

''(C) section 532 (relating to violations); and

''(D) any other section of this Act.

''(4) INVESTMENT RETURNS.—Interest on, and the proceeds from, the sale or redemption of, any obligations held by the Fund under subsection (c).

''(c) INVESTMENT.—The Commission shall invest portions of the Fund in obligations of the United States in the same manner as provided under section 9602(b) of the Internal Revenue Code of 1986.

''(d) USE OF FUND.—

''(1) IN GENERAL.—The sums in the Fund shall be used to provide benefits to participating candidates as provided in subtitle C.

''(2) INSUFFICIENT AMOUNTS.—Under regulations established by the Commission, rules similar to the rules of section 9006(c) of the Internal Revenue Code shall apply.

''Subtitle B—Eligibility and Certification

''SEC. 511. ELIGIBILITY.

''(a) IN GENERAL.—A candidate for Senator is eligible to receive an allocation from the Fund for any election if the candidate meets the following requirements:

''(1) The candidate files with the Commission a statement of intent to seek certification as a participating candidate under this title during the period beginning on the Fair Elections start date and ending on the last day of the Fair Elections qualifying period.

''(2) The candidate meets the qualifying contribution requirements of section 512.

''(3) The candidate files with the Commission a statement certifying that the authorized committees of the candidate meet the requirements of section 513(d)(2).

''(4) Not later than the last day of the Fair Elections qualifying period, the candidate files with the Commission an affidavit signed by the candidate and the treasurer of the candidate's principal campaign committee declaring that the candidate—

''(A) has complied and, if certified, will comply with the contribution and expenditure requirements of section 513;

''(B) if certified, will not run as a nonparticipating candidate during such year in any election for the office that such candidate is seeking; and

''(C) has either qualified or will take steps to qualify under State law to be on the ballot.

''(b) GENERAL ELECTION.—Notwithstanding subsection (a), a candidate shall not be eligible to receive an allocation from the Fund for a general election or a general runoff election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate otherwise qualified to be on the ballot under State law.

''SEC. 512. QUALIFYING CONTRIBUTION REQUIREMENT.

''(a) IN GENERAL.—A candidate for Senator meets the requirement of this section if, during the Fair Elections qualifying period, the candidate obtains—

''(1) a number of qualifying contributions equal to the sum of—

''(A) 2,000; plus

''(B) 500 for each congressional district in the State with respect to which the candidate is seeking election; and

''(2) a total dollar amount of qualifying contributions equal to 10 percent of the amount of the allocation such candidate would be entitled to receive for the primary election under section 522(c)(1) (determined without regard to paragraph (5) thereof) if such candidate were a participating candidate.

''(b) REQUIREMENTS RELATING TO RECEIPT OF QUALIFYING CONTRIBUTION.—Each qualifying contribution—

''(1) may be made by means of a personal check, money order, debit card, credit card, or electronic payment account;

''(2) shall be accompanied by a signed statement containing the contributor's name and the contributor's address in the State in which the contributor is registered to vote; and

''(3) shall be acknowledged by a receipt that is sent to the contributor with a copy kept by the candidate for the Commission and a copy kept by the candidate for the election authorities in the State with respect to which the candidate is seeking election.

''(c) VERIFICATION OF QUALIFYING CONTRIBUTIONS.—The Commission shall establish procedures for the auditing and verification of qualifying contributions to ensure that such contributions meet the requirements of this section.

''SEC. 513. CONTRIBUTION AND EXPENDITURE REQUIREMENTS.

''(a) GENERAL RULE.—A candidate for Senator meets the requirements of this section if, during the election cycle of the candidate, the candidate—

''(1) except as provided in subsection (b), accepts no contributions other than—

''(A) qualifying contributions;

''(B) qualified small dollar contributions;

''(C) qualifying multicandidate political committee contributions;

''(D) allocations from the Fund under section 522;

''(E) matching contributions under section 523;

''(F) enhanced matching contributions under section 524;

''(G) vouchers provided to the candidate under section 525;

''(H) subject to subsection (c), personal funds of the candidate or of any immediate family member of the candidate (other than funds received through qualified small dollar contributions); and

''(I) subject to subsection (d), contributions from individuals who are otherwise permitted to make contributions under this Act, subject to the applicable limitations of section 315, except that the aggregate amount of contributions a participating candidate may accept from any individual with respect to any election during the election cycle may not exceed $1,000; and

''(2) makes no expenditures from any amounts other than from—

''(A) qualifying contributions;

''(B) qualified small dollar contributions;

''(C) qualifying multicandidate political committee contributions;

''(D) allocations from the Fund under section 522;

''(E) matching contributions under section 523;

''(F) enhanced matching contributions under section 524;

''(G) vouchers provided to the candidate under section 525;

''(H) subject to subsection (c), personal funds of the candidate or of any immediate family member of the candidate (other than funds received through qualified small dollar contributions); and

''(I) subject to subsection (d), contributions from individuals who are otherwise permitted to make contributions under this Act, subject to the applicable limitations of section 315, except that the aggregate amount of contributions a participating candidate may accept from any individual with respect to any election during the election cycle may not exceed $1,000.

For purposes of this subsection, a payment made by a political party in coordination with a participating candidate shall not be treated as a contribution to or as an expenditure made by the participating candidate.

''(b) CONTRIBUTIONS FOR LEADERSHIP PACS, ETC.—A political committee of a participating candidate which is not an authorized committee of such candidate may accept contributions other than contributions described in subsection (a)(1) from any person if—

''(1) the aggregate contributions from such person for any calendar year do not exceed $200; and

''(2) no portion of such contributions is disbursed in connection with the campaign of the participating candidate.

''(c) SPECIAL RULES FOR PERSONAL FUNDS.—A candidate who is certified as a participating candidate may use personal funds (including personal funds of any immediate family member of the candidate) so long as—

''(1) the aggregate amount used with respect to the election cycle (including any period of the cycle occurring prior to the candidate's certification as a participating candidate) does not exceed $50,000; and

''(2) the funds are used only for making direct payments for the receipt of goods and services which constitute authorized expenditures in connection with the election cycle involved.

''(d) REQUIREMENTS RELATING TO SUBSEQUENT CONTRIBUTIONS AND NOTIFICATION REQUIREMENTS.—

''(1) RESTRICTION ON SUBSEQUENT CONTRIBUTIONS.—

''(A) PROHIBITING DONOR FROM MAKING SUBSEQUENT NONQUALIFIED CONTRIBUTIONS DURING ELECTION CYCLE.—An individual who makes a qualified small dollar contribution to a candidate with respect to an election may not make any subsequent contribution to such candidate with respect to the election cycle which is not a qualified small dollar contribution.

''(B) TREATMENT OF SUBSEQUENT NONQUALIFIED CONTRIBUTIONS.—If, notwithstanding the prohibition described in subparagraph (A), an individual who makes a qualified small dollar contribution to a candidate with respect to an election makes a subsequent contribution to such candidate with respect to the election which is prohibited under subparagraph (A) because it is not a qualified small dollar contribution, the candidate may take one of the following actions:

''(i) Not later than 2 weeks after receiving the contribution, the candidate may return the subsequent contribution to the individual. In the case of a subsequent contribution which is not a qualified small dollar contribution because the contribution fails to meet the requirements of paragraph (13)(C) of section 501 (relating to the aggregate amount of qualified small dollar contributions that may be made by an individual to a candidate), the candidate may return an amount equal to the difference between the amount of the subsequent contribution and the amount described in such paragraph.

''(ii) The candidate may retain the subsequent contribution, so long as not later than 2 weeks after receiving the subsequent contribution, the candidate remits to the Commission for deposit in the Freedom from Influence Fund established by section 502 an amount equal to any payments received by the candidate under this title which are attributable to the qualified small dollar contribution made by the individual involved.

''(C) NO EFFECT ON ABILITY TO MAKE MULTIPLE CONTRIBUTIONS.—Nothing in this subsection may be construed to prohibit an individual from making multiple qualified small dollar contributions to any candidate or any number of candidates, so long as each contribution meets the definition of a qualified small dollar contribution under section 501(13).

''(2) NOTIFICATION REQUIREMENTS FOR CANDIDATES.—

''(A) NOTIFICATION.—Each authorized committee of a candidate who seeks to be a participating candidate under this title shall provide the following information in any materials for the solicitation of contributions, including any internet site through which individuals may make contributions to the committee:

''(i) A statement that if the candidate is certified as a participating candidate under this title, the candidate will receive matching payments in an amount which is based on the total amount of qualified small dollar contributions received.

''(ii) A statement that a contribution which meets the definition of a qualified small dollar contribution under section 501(13) shall be treated as a qualified small dollar contribution under this title.

''(iii) A statement that if a contribution is treated as qualified small dollar contribution under this title, the individual who makes the contribution may not make any contribution to the candidate or the authorized committees of the candidate during the election cycle which is not a qualified small dollar contribution.

''(B) ALTERNATIVE METHODS OF MEETING REQUIREMENTS.—An authorized committee may meet the requirements of subparagraph (A)—

''(i) by including the information described in paragraph (1) in the receipt provided under section 512(b)(3) to a person making a qualified small dollar contribution; or

''(ii) by modifying the information it provides to persons making contributions which is otherwise required under title III (including information it provides through the internet).

''(e) EXCEPTION.—Notwithstanding subsection (a), a candidate shall not be treated as having failed to meet the requirements of this section if any contributions that are not qualified small dollar contributions, qualifying contributions, qualifying multicandidate political committee contributions, or contributions that meet the requirements of subsection (b) and that are accepted before the date the candidate files a statement of intent under section 511(a)(1) are—

''(1) returned to the contributor; or

''(2) submitted to the Commission for deposit in the Fund.

''SEC. 514. CERTIFICATION.

''(a) IN GENERAL.—Not later than 5 days after a candidate for Senator files an affidavit under section 511(a)(4), the Commission shall—

''(1) certify whether or not the candidate is a participating candidate; and

''(2) notify the candidate of the Commission's determination.

''(b) REVOCATION OF CERTIFICATION.—

''(1) IN GENERAL.—The Commission may revoke a certification under subsection (a) if—

''(A) a candidate fails to qualify to appear on the ballot at any time after the date of certification; or

''(B) a candidate otherwise fails to comply with the requirements of this title, including any regulatory requirements prescribed by the Commission.

''(2) REPAYMENT OF BENEFITS.—If certification is revoked under paragraph (1), the candidate shall repay to the Fund an amount equal to the value of benefits received under this title plus interest (at a rate determined by the Commission) on any such amount received.

''Subtitle C—Benefits

''SEC. 521. BENEFITS FOR PARTICIPATING CANDIDATES.

''(a) IN GENERAL.—For each election with respect to which a candidate is certified as a participating candidate under section 514, such candidate shall be entitled to—

''(1) an allocation from the Fund to make or obligate to make expenditures with respect to such election, as provided in section 522;

''(2) matching contributions, as provided in section 523;

''(3) enhanced matching contributions, as provided in section 524; and

''(4) for the general election, vouchers for broadcasts of political advertisements, as provided in section 525.

''(b) RESTRICTION ON USES OF ALLOCATIONS FROM THE FUND.—Allocations from the Fund received by a participating candidate under section 522, matching contributions under section 523, and enhanced matching contributions under section 524 may only be used for campaign-related costs.

''(c) REMITTING ALLOCATIONS FROM THE FUND.—

''(1) IN GENERAL.—Not later than the date that is 180 days after an election in which the participating candidate appeared on the ballot, such participating candidate shall remit to the Commission for deposit in the Fund an amount equal to the lesser of—

''(A) the amount of money in the candidate's campaign account; or

''(B) the sum of the allocations from the Fund received by the candidate under section 522, the matching contributions received by the candidate under section 523, and the enhanced matching contributions under section 524.

''(2) EXCEPTIONS.—

''(A) SUBSEQUENT ELECTION.—In the case of a candidate who qualifies to be on the ballot for a primary runoff election, a general election, or a general runoff election, the amounts described in paragraph (1) may be retained by the candidate and used in such subsequent election.

''(B) CANDIDATE SEEKING CERTIFICATION FOR NEXT ELECTION CYCLE.—Notwithstanding paragraph (1), a participating candidate may withhold not more than $100,000 from the amount required to be remitted under paragraph (1) if the candidate files a signed affidavit with the Commission that the candidate will seek certification as a participating candidate with respect to the next election cycle, except that the candidate may not use any portion of the amount withheld until the candidate is certified as a participating candidate with respect to that next election cycle. If the candidate fails to seek certification as a participating candidate prior to the last day of the qualifying period for the next election cycle (as described in section 511), or if the Commission notifies the candidate of the Commission's determination that the candidate does not meet the requirements for certification as a participating candidate with respect to such cycle, the candidate shall immediately remit to the Commission the amount withheld.

''SEC. 522. ALLOCATIONS FROM THE FUND.

''(a) IN GENERAL.—The Commission shall make allocations from the Fund under section 521(a)(1) to a participating candidate—

''(1) in the case of amounts provided under subsection (d)(1), after the date on which such candidate is certified as a participating candidate under section 514;

''(2) in the case of a general election after—

''(A) the date of the certification of the results of the primary election or the primary runoff election; or

''(B) in any case in which there is no primary election, the date the candidate qualifies to be placed on the ballot; and

''(3) in the case of a primary runoff election or a general runoff election, after the certification of the results of the primary election or the general election, as the case may be.

''(b) METHOD OF PAYMENT.—The Commission shall distribute funds available to participating candidates under this section through the use of an electronic funds exchange or a debit card.

''(c) TIMING OF PAYMENT.—The Commission shall, in coordination with the Secretary of the Treasury, take such steps as may be necessary to ensure that the Secretary is able to make payments under this section from the Treasury not later than 2 business days after date of the applicable certification as described in subsection (a).

''(d) AMOUNTS.—

''(1) PRIMARY ELECTION ALLOCATION; INITIAL ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a primary election to a participating candidate in an amount equal to 67 percent of the base amount with respect to such participating candidate.

''(2) PRIMARY RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a primary runoff election to a participating candidate in an amount equal to 25 percent of the amount the participating candidate was eligible to receive under this section for the primary election.

''(3) GENERAL ELECTION ALLOCATION.—Except as provided in paragraph (5), the Commission shall make an allocation from the Fund for a general election to a participating candidate in an amount equal to the base amount with respect to such candidate.

''(4) GENERAL RUNOFF ELECTION ALLOCATION.—The Commission shall make an allocation from the Fund for a general runoff election to a participating candidate in an amount equal to 25 percent of the base amount with respect to such candidate.

''(5) UNCONTESTED ELECTIONS.—

''(A) IN GENERAL.—In the case of a primary or general election that is an uncontested election, the Commission shall make an allocation from the Fund to a participating candidate for such election in an amount equal to 25 percent of the allocation which such candidate would be entitled to under this section for such election if this paragraph did not apply.

''(B) UNCONTESTED ELECTION DEFINED.—For purposes of this subparagraph, an election is uncontested if not more than 1 candidate has campaign funds (including payments from the Fund) in an amount equal to or greater than 10 percent of the allocation a participating candidate would be entitled to receive under this section for such election if this paragraph did not apply.

''(e) BASE AMOUNT.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the base amount for any candidate is an amount equal to the sum of—

''(A) $750,000; plus

''(B) $150,000 for each congressional district in the State with respect to which the candidate is seeking election.

''(2) INDEXING.—In each even-numbered year after 2027—

''(A) each dollar amount under paragraph (1) shall be increased by the percent difference between the price index (as defined in section 315(c)(2)(A)) for the 12 months preceding the beginning of such calendar year and the price index for calendar year 2022;

''(B) each dollar amount so increased shall remain in effect for the 2-year period beginning on the first day following the date of the last general election in the year preceding the year in which the amount is increased and ending on the date of the next general election; and

''(C) if any amount after adjustment under subparagraph (A) is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.

''SEC. 523. MATCHING PAYMENTS FOR QUALIFIED SMALL DOLLAR CONTRIBUTIONS.

''(a) IN GENERAL.—The Commission shall pay to each participating candidate an amount equal to 600 percent of the amount of qualified small dollar contributions received by the candidate from individuals after the date on which such candidate is certified under section 514.

''(b) LIMITATION.—The aggregate payments under subsection (a) with respect to any candidate shall not exceed 400 percent of the allocation such candidate is entitled to receive for such election under section 522 (determined without regard to subsection (d)(5) thereof).

''(c) TIME OF PAYMENT.—The Commission shall make payments under this section not later than 2 business days after the receipt of a report made under subsection (d).

''(d) REPORTS.—

''(1) IN GENERAL.—Each participating candidate shall file reports of receipts of qualified small dollar contributions at such times and in such manner as the Commission may by regulations prescribe.

''(2) CONTENTS OF REPORTS.—Each report under this subsection shall disclose—

''(A) the amount of each qualified small dollar contribution received by the candidate; and

''(B) the name, address, and occupation of each individual who made a qualified small dollar contribution to the candidate.

''(3) FREQUENCY OF REPORTS.—Reports under this subsection shall be made no more frequently than—

''(A) once every month until the date that is 90 days before the date of the election; and

''(B) once every week after the period described in subparagraph (A) and until the date of the election.

''(4) LIMITATION ON REGULATIONS.—The Commission may not prescribe any regulations with respect to reporting under this subsection with respect to any election after the date that is 180 days before the date of such election.

''(e) APPEALS.—The Commission shall provide a written explanation with respect to any denial of any payment under this section and shall provide the opportunity for review and reconsideration within 5 business days of such denial.

''SEC. 524. ENHANCED MATCHING SUPPORT.

''(a) IN GENERAL.—In addition to the payments made under section 523, the Commission shall make an additional payment to an eligible candidate under this section.

''(b) ELIGIBILITY.—A candidate is eligible to receive an additional payment under this section if the candidate meets each of the following requirements:

''(1) The candidate is on the ballot for the general election for the office the candidate seeks.

''(2) The candidate is certified as a participating candidate under this title with respect to the election.

''(3) During the enhanced support qualifying period, the candidate receives qualified small dollar contributions in a total amount of not less than the sum of $15,000 for each congressional district in the State with respect to which the candidate is seeking election.

''(4) During the enhanced support qualifying period, the candidate submits to the Commission a request for the payment which includes—

''(A) a statement of the number and amount of qualified small dollar contributions received by the candidate during the enhanced support qualifying period;

''(B) a statement of the amount of the payment the candidate anticipates receiving with respect to the request; and

''(C) such other information and assurances as the Commission may require.

''(5) After submitting a request for the additional payment under paragraph (4), the candidate does not submit any other application for an additional payment under this title.

''(c) AMOUNT.—

''(1) IN GENERAL.—Subject to paragraph (2), the amount of the additional payment made to an eligible candidate under this subtitle shall be an amount equal to 50 percent of—

''(A) the amount of the payment made to the candidate under section 523 with respect to the qualified small dollar contributions which are received by the candidate during the enhanced support qualifying period (as included in the request submitted by the candidate under (b)(4)(A)); or

''(B) in the case of a candidate who is not eligible to receive a payment under section 523 with respect to such qualified small dollar contributions because the candidate has reached the limit on the aggregate amount of payments under section 523, the amount of the payment which would have been made to

the candidate under section 523 with respect to such qualified small dollar contributions if the candidate had not reached such limit.

''(2) LIMIT.—The amount of the additional payment determined under paragraph (1) with respect to a candidate may not exceed the sum of $150,000 for each congressional district in the State with respect to which the candidate is seeking election.

''(3) NO EFFECT ON AGGREGATE LIMIT.—The amount of the additional payment made to a candidate under this section shall not be included in determining the aggregate amount of payments made to a participating candidate with respect to an election cycle under section 523.

''SEC. 525. POLITICAL ADVERTISING VOUCHERS.

''(a) IN GENERAL.—The Commission shall establish and administer a voucher program for the purchase of airtime on broadcasting stations for political advertisements in accordance with the provisions of this section.

''(b) CANDIDATES.—The Commission shall only disburse vouchers under the program established under subsection (a) to participants certified pursuant to section 514 who have agreed in writing to keep and furnish to the Commission such records, books, and other information as it may require.

''(c) AMOUNTS.—The Commission shall disburse vouchers to each candidate certified under subsection (b) in an aggregate amount equal to $100,000 multiplied by the number of congressional districts in the State with respect to which such candidate is running for office.

''(d) USE.—

''(1) EXCLUSIVE USE.—Vouchers disbursed by the Commission under this section may be used only for the purchase of broadcast airtime for political advertisements relating to a general election for the office of Senate by the participating candidate to which the vouchers were disbursed, except that—

''(A) a candidate may exchange vouchers with a political party under paragraph (2); and

''(B) a political party may use vouchers only to purchase broadcast airtime for political advertisements for generic party advertising (as defined by the Commission in regulations), to support candidates for State or local office in a general election, or to support participating candidates of the party in a general election for Federal office, but only if it discloses the value of the voucher used as an expenditure under section 315(d).

''(2) EXCHANGE WITH POLITICAL PARTY COMMITTEE.—

''(A) IN GENERAL.—A participating candidate who receives a voucher under this section may transfer the right to use all or a portion of the value of the voucher to a committee of the political party of which the individual is a candidate (or, in the case of a participating candidate who is not a member of any political party, to a committee of the political party of that candidate's choice) in exchange for money in an amount equal to the cash value of the voucher or portion exchanged.

''(B) CONTINUATION OF CANDIDATE OBLIGATIONS.—The transfer of a voucher, in whole or in part, to a political party committee under this paragraph does not release the candidate from any obligation under the agreement made under subsection (b) or otherwise modify that agreement or its application to that candidate.

''(C) PARTY COMMITTEE OBLIGATIONS.—Any political party committee to which a voucher or portion thereof is transferred under subparagraph (A)—

''(i) shall account fully, in accordance with such requirements as the Commission may establish, for the receipt of the voucher; and

''(ii) may not use the transferred voucher or portion thereof for any purpose other than a purpose described in paragraph (1)(B).

''(D) VOUCHER AS A CONTRIBUTION UNDER FECA.—If a candidate transfers a voucher or any portion thereof to a political party committee under subparagraph (A)—

''(i) the value of the voucher or portion thereof transferred shall be treated as a contribution from the candidate to the committee, and from the committee to the candidate, for purposes of sections 302 and 304;

''(ii) the committee may, in exchange, provide to the candidate only funds subject to the prohibitions, limitations, and reporting requirements of title III of this Act; and

''(iii) the amount, if identified as a 'voucher exchange', shall not be considered a contribution for the purposes of sections 315 and 513.

''(e) VALUE; ACCEPTANCE; REDEMPTION.—

''(1) VOUCHER.—Each voucher disbursed by the Commission under this section shall have a value in dollars, redeemable upon presentation to the Commission, together with such documentation and other information as the Commission may require, for the purchase of broadcast airtime for political advertisements in accordance with this section.

''(2) ACCEPTANCE.—A broadcasting station shall accept vouchers in payment for the purchase of broadcast airtime for political advertisements in accordance with this section.

''(3) REDEMPTION.—The Commission shall redeem vouchers accepted by broadcasting stations under paragraph (2) upon presentation, subject to such documentation, verification, accounting, and application requirements as the Commission may impose to ensure the accuracy and integrity of the voucher redemption system.

''(4) EXPIRATION.—

''(A) CANDIDATES.—A voucher may only be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on the day before the date of the Federal election in connection with which it was issued and shall be null and void for any other use or purpose.

''(B) EXCEPTION FOR POLITICAL PARTY COMMITTEES.—A voucher held by a political party committee may be used to pay for broadcast airtime for political advertisements to be broadcast before midnight on December 31st of the odd-numbered year following the year in which the voucher was issued by the Commission.

''(5) VOUCHER AS EXPENDITURE UNDER FECA.—The use of a voucher to purchase broadcast airtime constitutes an expenditure as defined in section 301(9)(A).

''(f) DEFINITIONS.—In this section:

''(1) BROADCASTING STATION.—The term 'broadcasting station' has the meaning given that term by section 315(f)(1) of the Communications Act of 1934.

''(2) POLITICAL PARTY.—The term 'political party' means a major party or a minor party as defined in section 9002 (3) or (4) of the Internal Revenue Code of 1986 (26 U.S.C. 9002 (3) or (4)).

''Subtitle D—Administrative Provisions

''SEC. 531. DUTIES OF THE FEDERAL ELECTION COMMISSION.

''(a) DUTIES AND POWERS.—

''(1) ADMINISTRATION.—The Commission shall have the power to administer the provisions of this title and shall prescribe regulations to carry out the purposes of this title, including regulations—

''(A) to establish procedures for—

''(i) verifying the amount of valid qualifying contributions with respect to a candidate;

''(ii) effectively and efficiently monitoring and enforcing the limits on the raising of qualified small dollar contributions;

''(iii) monitoring the raising of qualifying multicandidate political committee contributions through effectively and efficiently monitoring and enforcing the limits on individual contributions to qualified accounts of multicandidate political committees;

''(iv) effectively and efficiently monitoring and enforcing the limits on the use of personal funds by participating candidates;

''(v) monitoring the use of allocations from the Fund and matching contributions under this title through audits or other mechanisms; and

''(vi) the administration of the voucher program under section 525; and

''(B) regarding the conduct of debates in a manner consistent with the best practices of States that provide public financing for elections.

''(2) REVIEW OF FAIR ELECTIONS FINANCING.—

''(A) IN GENERAL.—After each general election for Federal office, the Commission shall conduct a comprehensive review of the Fair Elections financing program under this title, including—

''(i) the maximum dollar amount of qualified small dollar contributions under section 501(13);

''(ii) the maximum and minimum dollar amounts for qualifying contributions under section 501(12);

''(iii) the number and value of qualifying contributions a candidate is required to obtain under section 512 to qualify for allocations from the Fund;

''(iv) the amount of allocations from the Fund that candidates may receive under section 522;

''(v) the maximum amount of matching contributions a candidate may receive under section 523;

''(vi) the maximum amount of enhanced matching contributions a candidate may receive under section 524;

''(vii) the amount and usage of vouchers under section 525;

''(viii) the overall satisfaction of participating candidates and the American public with the program; and

''(ix) such other matters relating to financing of Senate campaigns as the Commission determines are appropriate.

''(B) CRITERIA FOR REVIEW.—In conducting the review under subparagraph (A), the Commission shall consider the following:

''(i) QUALIFYING CONTRIBUTIONS AND QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—The Commission shall consider whether the number and dollar amount of qualifying contributions required and maximum dollar amount for such qualifying contributions and qualified small dollar contributions strikes a balance regarding the importance of voter involvement, the need to assure adequate incentives for participating, and fiscal responsibility, taking into consideration the number of primary and general election participating candidates, the electoral performance of those candidates, program cost, and any other information the Commission determines is appropriate.

''(ii) REVIEW OF PROGRAM BENEFITS.—The Commission shall consider whether the totality of the amount of funds allowed to be raised by participating candidates (including through qualifying contributions and small dollar contributions), allocations from the Fund under section 522, matching contributions under section 523, enhanced matching contributions under section 524, and vouchers under section 525 are sufficient for voters in each State to learn about the candidates to cast an informed vote, taking into account the historic amount of spending by winning candidates, media costs, primary

election dates, and any other information the Commission determines is appropriate.

''(C) RECOMMENDATIONS FOR ADJUSTMENT OF AMOUNTS.—Based on the review conducted under subparagraph (A), the Commission shall make recommendations to Congress for any adjustment of the following amounts:

''(i) The maximum dollar amount of qualified small dollar contributions under section 501(13)(C).

''(ii) The maximum and minimum dollar amounts for qualifying contributions under section 501(12)(A).

''(iii) The number and value of qualifying contributions a candidate is required to obtain under section 512(a)(1).

''(iv) The base amount for candidates under section 522(d).

''(v) The maximum amount of matching contributions a candidate may receive under section 523(b).

''(vi) The maximum amount of enhanced matching contributions a candidate may receive under section 524(c).

''(vii) The dollar amount for vouchers under section 525(c).

''(D) REPORT.—Not later than March 30 following any general election for Federal office, the Commission shall submit a report to Congress on the review conducted under subparagraph (A) and any recommendations developed under subparagraph (C). Such report shall contain a detailed statement of the findings, conclusions, and recommendations of the Commission based on such review.

''(b) REPORTS.—Not later than March 30, 2026, and every 2 years thereafter, the Commission shall submit to the Senate Committee on Rules and Administration a report documenting, evaluating, and making recommendations relating to the administrative implementation and enforcement of the provisions of this title.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this subtitle.

''SEC. 532. VIOLATIONS AND PENALTIES.

''(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBUTION AND EXPENDITURE REQUIREMENTS.—If a candidate who has been certified as a participating candidate under section 514 accepts a contribution or makes an expenditure that is prohibited under section 513, the Commission shall assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. Any amounts collected under this subsection shall be deposited into the Fund.

''(b) REPAYMENT FOR IMPROPER USE OF FREEDOM FROM INFLUENCE FUND.—

''(1) IN GENERAL.—If the Commission determines that any benefit made available to a participating candidate under this title was not used as provided for in this title or that a participating candidate has violated any of the dates for remission of funds contained in this title, the Commission shall so notify the candidate and the candidate shall pay to the Fund an amount equal to—

''(A) the amount of benefits so used or not remitted, as appropriate; and

''(B) interest on any such amounts (at a rate determined by the Commission).

''(2) OTHER ACTION NOT PRECLUDED.—Any action by the Commission in accordance with this subsection shall not preclude enforcement proceedings by the Commission in accordance with section 309(a), including a referral by the Commission to the Attorney General in the case of an apparent knowing and willful violation of this title.''.

SEC. 202. PROHIBITION ON JOINT FUNDRAISING COMMITTEES.

Section 302(e) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102(e)) is amended by adding at the end the following new paragraph:

''(6) No authorized committee of a participating candidate (as defined in section 501) may establish a joint fundraising committee with a political committee other than an authorized committee of a candidate.''.

SEC. 203. EXCEPTION TO LIMITATION ON COORDINATED EXPENDITURES BY POLITICAL PARTY COMMITTEES WITH PARTICIPATING CANDIDATES.

Section 315(d) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(d)) is amended—

(1) in paragraph (3)(A), by striking ''in the case of'' and inserting ''except as provided in paragraph (6), in the case of''; and

(2) by adding at the end the following new paragraph:

''(6)(A) The limitation under paragraph (3)(A) shall not apply with respect to any expenditure from a qualified political party-participating candidate coordinated expenditure fund.

''(B) In this paragraph, the term 'qualified political party-participating candidate coordinated expenditure fund' means a fund established by the national committee of a political party, or a State committee of a political party, including any subordinate committee of a State committee, for purposes of making expenditures in connection with the general election campaign of a candidate for election to the office of Senator who is a participating candidate (as defined in section 501), that only accepts qualified coordinated expenditure contributions.

''(C) In this paragraph, the term 'qualified coordinated expenditure contribution' means, with respect to the general election campaign of a candidate for election to the office of Senator who is a participating candidate (as defined in section 501), any contribution (or series of contributions)—

''(i) which is made by an individual who is not prohibited from making a contribution under this Act; and

''(ii) the aggregate amount of which does not exceed $500 per election.''.

TITLE III—RESPONSIBILITIES OF THE FEDERAL ELECTION COMMISSION

SEC. 301. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 302. ELECTRONIC FILING OF FEC REPORTS.

Section 304(a)(11) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(a)(11)) is amended—

(1) in subparagraph (A), by striking ''under this Act—'' and all that follows and inserting ''under this Act shall be required to maintain and file such designation, statement, or report in electronic form accessible by computers.'';

(2) in subparagraph (B), by striking ''48 hours'' and all that follows through ''filed electronically)'' and inserting ''24 hours''; and

(3) by striking subparagraph (D).

TITLE IV—REVENUE PROVISIONS

SEC. 401. FREEDOM FROM INFLUENCE FUND REVENUE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by inserting after chapter 36 the following new chapter:

''CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS

''Sec. 4501. Imposition of tax.

''SEC. 4501. IMPOSITION OF TAX.

''(a) TAX IMPOSED.—There is hereby imposed on any payment made to a qualified person pursuant to a contract with the Government of the United States a tax equal to 0.50 percent of the amount paid.

''(b) LIMITATION.—The aggregate amount of tax imposed per contract under subsection (a) for any calendar year shall not exceed $500,000.

''(c) QUALIFIED PERSON.—For purposes of this section, the term 'qualified person' means any person which—

''(1) is not a State or local government, a foreign nation, or an organization described in section 501(c)(3) which is exempt from taxation under section 501(a), and

''(2) has a contract with the Government of the United States with a value in excess of $10,000,000.

''(d) PAYMENT OF TAX.—The tax imposed by this section shall be paid by the person receiving such payment.

''(e) USE OF REVENUE GENERATED BY TAX.—It is the sense of the Senate that amounts equivalent to the revenue generated by the tax imposed under this chapter should be appropriated for the financing of a Freedom From Influence Fund and used for the public financing of Senate elections.''.

(b) CONFORMING AMENDMENT.—The table of chapters of the Internal Revenue Code of 1986 is amended by inserting after the item relating to chapter 36 the following:

''CHAPTER 37—TAX ON PAYMENTS PURSUANT TO CERTAIN GOVERNMENT CONTRACTS''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts entered into after the date of the enactment of this Act.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. SEVERABILITY.

If any provision of this Act or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SEC. 502. EFFECTIVE DATE.

(a) IN GENERAL.—Except as may otherwise be provided in this Act and in the amendments made by this Act, this Act and the amendments made by this Act shall apply with respect to elections occurring during 2028 or any succeeding year, without regard to whether or not the Federal Election Commission has promulgated the final regulations necessary to carry out this Act and the amendments made by this Act by the deadline set forth in subsection (b).

(b) DEADLINE FOR REGULATIONS.—Not later than June 30, 2026, the Federal Election Commission shall promulgate such regulations as may be necessary to carry out this Act and the amendments made by this Act.

By Mr. DURBIN (for himself, Ms. WARREN, Mr. SANDERS, Mr. MERKLEY, Ms. HIRONO, Mr. MARKEY, Mr. VAN HOLLEN, and Mr. BLUMENTHAL):

S.J. Res. 67. A joint resolution proposing an amendment to the Constitution of the United States relative to the fundamental right to vote; to the Committee on the Judiciary.

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

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

S.J. RES. 67

Resolved by the Senate and House of Representatives of the United States of America in

Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

''ARTICLE —

''SECTION 1. Every citizen of the United States, who is of legal voting age, shall have the fundamental right to vote in any public election held in the jurisdiction in which the citizen resides.

''SECTION 2. The fundamental right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State or political subdivision within a State unless such denial or abridgment is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

''SECTION 3. The portion of section 2 of the fourteenth article of amendment to the Constitution of the United States that consists of the phrase 'or other crime,' is repealed.

''SECTION 4. The Congress shall have the power to enforce this article and protect against any denial or abridgement of the fundamental right to vote by legislation.''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 6526. Mr. JOHNSON (for himself, Mr. CRUZ, Mr. RISCH, Mr. MARSHALL, Mr. BRAUN, Mr. CRAPO, Mr. DAINES, Mrs. HYDE-SMITH, Mr. PAUL, Mr. HOEVEN, Mr. HAWLEY, Ms. LUMMIS, Mr. GRAHAM, Mr. LEE, Mr. SCOTT of Florida, Mr. RUBIO, and Mr. LANKFORD) proposed an amendment to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes.

SA 6527. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 7776, supra; which was ordered to lie on the table.

SA 6528. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 7776, supra; which was ordered to lie on the table.

SA 6529. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 6513 proposed by Mr. SCHUMER (for Mr. MANCHIN) to the bill H.R. 7776, supra; which was ordered to lie on the table.

SA 6530. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 6513 proposed by Mr. SCHUMER (for Mr. MANCHIN) to the bill H.R. 7776, supra; which was ordered to lie on the table.

SA 6531. Mr. HOEVEN (for himself, Ms. LUMMIS, Mr. CRAMER, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 7776, supra; which was ordered to lie on the table.

SA 6532. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7776, supra; which was ordered to lie on the table.

SA 6533. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7776, supra; which was ordered to lie on the table.

SA 6534. Mr. SCHUMER proposed an amendment to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes.

SA 6535. Mr. SCHUMER proposed an amendment to amendment SA 6534 proposed by Mr. SCHUMER to the bill H.R. 1437, supra.

SA 6536. Mr. SCHUMER proposed an amendment to the bill H.R. 1437, supra.

SA 6537. Mr. SCHUMER proposed an amendment to amendment SA 6536 proposed by Mr. SCHUMER to the bill H.R. 1437, supra.

SA 6538. Mr. SCHUMER proposed an amendment to amendment SA 6537 proposed by Mr. SCHUMER to the amendment SA 6536 proposed by Mr. SCHUMER to the bill H.R. 1437, supra.

SA 6539. Mr. KAINE (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table.

SA 6540. Mr. SCOTT of Florida (for himself, Mr. JOHNSON, and Mr. BRAUN) proposed an amendment to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes.

SA 6541. Mr. LEE (for himself, Mr. BRAUN, Mr. SCOTT of Florida, and Mr. JOHNSON) proposed an amendment to the bill H .R. 1437, supra.

SA 6542. Mr. KING (for Mr. BARRASSO) proposed an amendment to the bill S. 3957, 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.

SA 6543. Mr. KING (for Mr. SCOTT of Florida) proposed an amendment to the bill S. 688, to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

TEXT OF AMENDMENTS

SA 6526. Mr. JOHNSON (for himself, Mr. CRUZ, Mr. RISCH, Mr. MARSHALL, Mr. BRAUN, Mr. CRAPO, Mr. DAINES, Mrs. HYDE-SMITH, Mr. PAUL, Mr. HOEVEN, Mr. HAWLEY, Ms. LUMMIS, Mr. GRAHAM, Mr. LEE, Mr. SCOTT of Florida, Mr. RUBIO, and Mr. LANKFORD) proposed an amendment to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; as follows:

Insert after section 525 the following:

SEC. 525A. REMEDIES FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR SUBJECT TO PUNISHMENT UNDER THE COVID–19 VACCINE MANDATE.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary of Defense may not issue any COVID–19 vaccine mandate as a replacement for the rescinded mandates under this Act absent a further act of Congress expressly authorizing a replacement mandate.

(b) REMEDIES.—Section 736 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117–81; 10 U.S.C. 1161 note prec.) is amended—

(1) in the section heading, by striking ''**TO OBEY LAWFUL ORDER TO RECEIVE**'' and inserting ''**TO RECEIVE**'';

(2) in subsection (a)—

(A) by striking ''a lawful order'' and inserting ''an order''; and

(B) by striking ''shall be'' and all that follows through the period at the end and inserting ''shall be an honorable discharge.'';

(3) by redesignating subsection (b) as subsection (e); and

(4) by inserting after subsection (a) the following new subsections:

''(b) PROHIBITION ON ADVERSE ACTION.—The Secretary of Defense may not take any adverse action against a covered member based solely on the refusal of such member to receive a vaccine for COVID–19.

''(c) REMEDIES AVAILABLE FOR A COVERED MEMBER DISCHARGED OR PUNISHED BASED ON COVID–19 STATUS.—At the election of a covered member and upon application through a process established by the Secretary of Defense, the Secretary shall—

''(1) adjust to 'honorable discharge' the status of the member if—

''(A) the member was separated from the Armed Forces based solely on the failure of the member to obey an order to receive a vaccine for COVID–19; and

''(B) the discharge status of the member would have been an 'honorable discharge' but for the refusal to obtain such vaccine;

''(2) reinstate the member to service at the highest grade held by the member immediately prior to the involuntary separation, allowing, however, for any demotion that was not related to the member's COVID–19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation;

''(3) for any member who was subject to any punishment other than involuntary separation based solely on the member's COVID–19 vaccination status—

''(A) restore the member to the highest grade held prior to such punishment, allowing, however, for any demotion that was not related to the member's COVID–19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation; and

''(B) compensate such member for any pay and benefits lost as a result of such punishment;

''(4) expunge from the service record of the member any reference to any adverse action based solely on COVID–19 status, including involuntary separation; and

''(5) include the time of involuntary separation of the member reinstated under paragraph (2) in the computation of the retired or retainer pay of the member.

''(d) ATTEMPT TO AVOID DISCHARGE.—The Secretary of Defense shall make every effort to retain members of the Armed Forces who are not vaccinated against COVID–19.''.

(c) IMMEDIATE RESCISSION OF MANDATE.—Notwithstanding the deadline provided for in section 525, the rescission of the COVID–19 mandate shall take effect immediately.

SA 6527. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 7 days after the date of enactment of this Act.

SA 6528. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 8 days after the date of enactment of this Act.

SA 6529. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 6513 proposed by Mr. SCHUMER (for Mr. MANCHIN) to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''8'' and insert ''9''.

SA 6530. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 6513 proposed by Mr. SCHUMER (for Mr. MANCHIN) to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike ''9'' and insert ''10''.

SA 6531. Mr. HOEVEN (for himself, Ms. LUMMIS, Mr. CRAMER, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 823. PROHIBITION ON REQUIRING DEFENSE CONTRACTORS TO PROVIDE INFORMATION RELATING TO GREENHOUSE GAS EMISSIONS.

(a) DEFINITIONS.—In this section:

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

(A) carbon dioxide;

(B) methane;

(C) nitrous oxide;

(D) nitrogen trifluoride;

(E) hydrofluorocarbons

(F) perfluorcarbons; or

(G) sulfur hexafluoride.

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

(3) SCOPE 1 EMISSIONS.—The term ''Scope 1 emissions'' means direct greenhouse gas emissions from sources that are owned or controlled by the reporting entity.

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

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

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

SA 6532. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 2193, strike line 1 and all that follows through page 2238, line 3.

SA 6533. Mr. MARSHALL submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 725. PROHIBITION ON USE OF FUNDS TO CARRY OUT MEMORANDUM RELATING TO REPRODUCTIVE HEALTH CARE.

No funds appropriated pursuant to an authorization of appropriations under this Act may be used to carry out the memorandum of the Secretary of Defense dated October 20, 2022, relating to ensuring access to reproductive health care.

SA 6534. Mr. SCHUMER proposed an amendment to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 6535. Mr. SCHUMER proposed an amendment to amendment SA 6534 proposed by Mr. SCHUMER to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes; as follows:

On page 1, line 3, strike ''1'' and insert ''2''.

SA 6536. Mr. SCHUMER proposed an amendment to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 4 dayS after the date of enactment of this Act.

SA 6537. Mr. SCHUMER proposed an amendment to amendment SA 6536 proposed by Mr. SCHUMER to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes; as follows:

On page 1, line 3, strike ''4'' and insert ''5''.

SA 6538. Mr. SCHUMER proposed an amendment to amendment SA 6537 proposed by Mr. SCHUMER to the amendment SA 6536 proposed by Mr. SCHUMER to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes; as follows:

On page 1, strike ''5'' and insert ''6''.

SA 6539. Mr. KAINE (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill H.R. 7776, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, 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. 1240A. REPEAL OF AUTHORIZATIONS FOR USE OF MILITARY FORCE AGAINST IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) The Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1; 105 Stat. 3; 50 U.S.C. 1541 note), enacted on January 14, 1991 (in this preamble ''the 1991 AUMF''), and the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note), enacted on October 16, 2002 (in this preamble ''the 2002 AUMF''), currently remain valid law.

(2) Recent presidential administrations have maintained that the 2002 AUMF only serves to ''reinforce'' any legal authority to combat ISIS provided by the Authorization for Use of Military Force (Public Law 107–40; 115 Stat. 224; 50 U.S.C. 1541), enacted September 18, 2001, and is not independently required to authorize any such activities.

(3) Repealing the 1991 AUMF and the 2002 AUMF would therefore not affect ongoing United States military operations.

(4) Since 2014, United States military forces have operated in Iraq at the request of the Government of Iraq for the sole purpose of supporting its efforts to combat ISIS, consistent with the Strategic Framework Agreement that Iraq and the United States signed on November 17, 2008.

(5) During a press briefing on December 24, 2020, Commander of the United States Central Command, General Frank McKenzie, reiterated that United States forces are in Iraq ''at their invitation''.

(6) Secretary of State Antony J. Blinken and Prime Minister Mustafa Al-Kadhimi of Iraq discussed ''the Iraqi government's responsibility and commitment to protect U.S. and Coalition personnel in Iraq at the government's invitation to fight ISIS'' in a February 16, 2021, phone call.

(7) Secretary of Defense Lloyd J. Austin III stated on February 19, 2021, that he ''welcomed that expanded NATO mission in Iraq that responds to the desires and aspirations of the Iraqi government''.

(8) In a February 23, 2021, call with Prime Minister Mustafa Al-Kadhimi of Iraq, President Joseph R. Biden affirmed United States support for Iraq's ''sovereignty and independence''.

(9) Neither the 1991 AUMF nor the 2002 AUMF are being used as the sole legal basis for any detention of enemy combatants currently held by the United States.

(10) Authorizations for the use of military force that are no longer necessary should have a clear political and legal ending.

(b) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION.—The Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1; 105 Stat. 3; 50 U.S.C. 1541 note) is hereby repealed.

(c) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002.—The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note) is hereby repealed.

SA 6540. Mr. SCOTT of Florida (for himself, Mr. JOHNSON, and Mr. BRAUN) proposed an amendment to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes; as follows:

At the end, add the following:

DIVISION E—INTERNAL REVENUE SERVICE AND TAX ADMINISTRATION

SEC. 101. RESCISSION OF CERTAIN FUNDS FOR ENHANCED INTERNAL REVENUE SERVICE RESOURCES.

Effective on the date of enactment of this Act, the unobligated balances of the amounts made available under the following provisions of Public Law 117–169 are rescinded:

(1) INTERNAL REVENUE SERVICE ENFORCEMENT FUNDS.—Section 10301(1)(A)(ii).

(2) INTERNAL REVENUE SERVICE OPERATIONS SUPPORT.—Section 10301(1)(A)(iii).

SEC. 102. REPEAL OF MODIFICATIONS OF EXCEPTIONS FOR REPORTING OF THIRD PARTY NETWORK TRANSACTIONS.

(a) IN GENERAL.—Section 6050W(e) of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) EXCEPTION FOR DE MINIMIS PAYMENTS BY THIRD PARTY SETTLEMENT ORGANIZATIONS.—A third party settlement organization shall be required to report any information under subsection (a) with respect to third party network transactions of any participating payee only if—

''(1) the amount which would otherwise be reported under subsection (a)(2) with respect to such transactions exceeds $20,000, and

''(2) the aggregate number of such transactions exceeds 200.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to returns for calendar years beginning after December 31, 2021.

SA 6541. Mr. LEE (for himself, Mr. BRAUN, Mr. SCOTT of Florida, and Mr. JOHNSON) proposed an amendment to the bill H.R. 1437, to amend the Weather Research and Forecasting Innovation Act of 2017 to direct the National Oceanic and Atmospheric Administration to provide comprehensive and regularly updated Federal precipitation information, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Further Continuing Appropriations and Extensions Act, 2023''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short Title.
Sec. 2. Table of Contents.
Sec. 3. References.
Sec. 4. Payment to Widows and Heirs of Deceased Members of Congress.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2023

DIVISION B—OTHER MATTERS

Title I—Extensions
Title II—Budgetary matters

DIVISION C—HEALTH AND HUMAN SERVICES

Title I—Medicare and Medicaid
Title II—Human Services
Title III—Extension of FDA Authorizations
Title IV—Indian Health

DIVISION D—PRECIP ACT

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to ''this Act'' contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS.

There is hereby appropriated for fiscal year 2023, out of any money in the Treasury not otherwise appropriated, for payment to Colette Wallace McEachin, beneficiary of Aston Donald McEachin, late a Representative from the Commonwealth of Virginia, $174,000.

DIVISION A—FURTHER CONTINUING APPROPRIATIONS ACT, 2023

SEC. 101. The Continuing Appropriations Act, 2023 (division A of Public Law 117–180) is amended—

(1) by striking the date specified in section 106(3) and inserting ''March 10, 2023'';

(2) by adding after section 157 the following new section:

''SEC. 158. During the period covered by this Act, section 227(a) of the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1525) shall not apply.''.

This division may be cited as the ''Further Continuing Appropriations Act, 2023''.

DIVISION B—OTHER MATTERS

TITLE I—EXTENSIONS

SEC. 101. EXTENSION OF FCC AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 102. EXTENSION OF AUTHORIZATION FOR SPECIAL ASSESSMENT FOR DOMESTIC TRAFFICKING VICTIMS' FUND.

Section 3014(a) of title 18, United States Code, is amended, in the matter preceding paragraph (1), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 103. UNITED STATES PAROLE COMMISSION EXTENSION.

(a) SHORT TITLE.—This section may be cited as the ''United States Parole Commission Further Extension Act of 2022''.

(b) AMENDMENT OF SENTENCING REFORM ACT OF 1984.—For purposes of section 235(b) of the Sentencing Reform Act of 1984 (18 U.S.C. 3551 note; Public Law 98–473; 98 Stat. 2032), as such section relates to chapter 311 of title 18, United States Code, and the United States Parole Commission, each reference in such section to ''35 years'' or ''35-year period'' shall be deemed a reference to ''35 years and 53 days'' or ''35-year and 53-day period'', respectively.

SEC. 104. EXTENSION OF COMMODITY FUTURES TRADING COMMISSION CUSTOMER PROTECTION FUND EXPENSES ACCOUNT.

Section 1(b) of Public Law 117–25 (135 Stat. 297), as amended by section 104 of division C of the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 is amended by striking ''December 16, 2022'' each place it appears and inserting ''March 10, 2023''.

TITLE II—BUDGETARY MATTERS

SEC. 201. PAYGO REPORT.

Notwithstanding subsection (a) of section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934), the Office of Management and Budget shall make publicly available the annual PAYGO report required under such subsection for 2022 and prepare any order required under subsection (b) of such section not later than March 11, 2023.

DIVISION C—HEALTH AND HUMAN SERVICES

TITLE I—MEDICARE AND MEDICAID

SEC. 101. EXTENSION OF INCREASED INPATIENT HOSPITAL PAYMENT ADJUSTMENT FOR CERTAIN LOW-VOLUME HOSPITALS.

(a) IN GENERAL.—Section 1886(d)(12) of the Social Security Act (42 U.S.C. 1395ww(d)(12)) is amended—

(1) in subparagraph (B), in the matter preceding clause (i), by striking ''December 17, 2022'' and inserting ''March 11, 2023'';

(2) in subparagraph (C)(i)—

(A) in the matter preceding subclause (I), by striking ''December 16, 2022'' and inserting ''March 10, 2023'';

(B) in subclause (III), by striking ''December 16, 2022'' and inserting ''March 10, 2023''; and

(C) in subclause (IV), by striking ''December 17, 2022'' and inserting ''March 11, 2023''; and

(3) in subparagraph (D)—

(A) in the matter preceding clause (i), by striking ''December 16, 2022'' and inserting ''March 10, 2023''; and

(B) in clause (ii), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, including the amendments made by, this section by program instruction or otherwise.

SEC. 102. EXTENSION OF THE MEDICARE-DEPENDENT HOSPITAL PROGRAM.

(a) IN GENERAL.—Section 1886(d)(5)(G) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(G)) is amended—

(1) in clause (i), by striking ''December 17, 2022'' and inserting ''March 11, 2023''; and

(2) in clause (ii)(II), by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

(b) CONFORMING AMENDMENTS.—

(1) EXTENSION OF TARGET AMOUNTS.—Section 1886(b)(3)(D) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(D)) is amended—

(A) in the matter preceding clause (i), by striking ''December 17, 2022'' and inserting ''March 11, 2023''; and

(B) in clause (iv), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

(2) PERMITTING HOSPITALS TO DECLINE RECLASSIFICATION.—Section 13501(e)(2) of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 1395ww note) is amended by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 103. EXTENSION OF INCREASED FMAPS UNDER MEDICAID FOR THE TERRITORIES.

Section 1905(ff) of the Social Security Act (42 U.S.C. 1396d(ff)) is amended—

(1) in paragraph (2), by striking ''December 16, 2022'' and inserting ''March 10, 2023''; and

(2) in paragraph (3), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 104. MEDICARE IMPROVEMENT FUND.

Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking ''$7,308,000,000'' and inserting ''$7,278,000,000''.

TITLE II—HUMAN SERVICES

SEC. 201. EXTENSION OF MATERNAL, INFANT, AND EARLY CHILDHOOD HOME VISITING PROGRAMS.

Activities authorized by section 511 of the Social Security Act shall continue through March 10, 2023, and out of any money in the Treasury of the United States not otherwise appropriated, there is hereby appropriated for such purpose an amount equal to the pro rata portion of the amount appropriated for such activities for fiscal year 2022.

SEC. 202. EXTENSION OF CHILD AND FAMILY SERVICES PROGRAMS.

Activities authorized by part B of title IV of the Social Security Act shall continue through March 10, 2023, in the manner authorized for fiscal year 2022, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

TITLE III—EXTENSION OF FDA AUTHORIZATIONS

SEC. 301. REAUTHORIZATION OF THE CRITICAL PATH PUBLIC-PRIVATE PARTNERSHIP.

Section 566(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–5(f)) is amended by striking ''$1,265,753 for the period beginning on October 1, 2022 and ending on December 16, 2022'' and inserting ''$2,646,574 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 302. REAUTHORIZATION OF THE BEST PHARMACEUTICALS FOR CHILDREN PROGRAM.

Section 409I(d)(1) of the Public Health Service Act (42 U.S.C. 284m(d)(1)) is amended by striking ''$5,273,973 for the period beginning on October 1, 2022 and ending on December 16, 2022'' and inserting ''$11,027,398 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 303. REAUTHORIZATION OF THE HUMANITARIAN DEVICE EXEMPTION INCENTIVE.

Section 520(m)(6)(A)(iv) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(m)(6)(A)(iv)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

SEC. 304. REAUTHORIZATION OF THE PEDIATRIC DEVICE CONSORTIA PROGRAM.

Section 305(e) of the Pediatric Medical Device Safety and Improvement Act of 2007 (Public Law 110–85; 42 U.S.C. 282 note) is amended by striking ''$1,107,534 for the period beginning on October 1, 2022, and ending on December 16, 2022'' and inserting ''$2,315,753 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 305. REAUTHORIZATION OF PROVISION PERTAINING TO DRUGS CONTAINING SINGLE ENANTIOMERS.

Section 505(u)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(u)(4)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

SEC. 306. REAUTHORIZATION OF CERTAIN DEVICE INSPECTIONS.

Section 704(g)(11) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(g)(11)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

SEC. 307. REAUTHORIZATION OF ORPHAN DRUG GRANTS.

Section 5(c) of the Orphan Drug Act (21 U.S.C. 360ee(c)) is amended by striking ''$6,328,767 for the period beginning on October 1, 2022, and ending on December 16, 2022'' and inserting ''$13,232,876 for the period beginning on October 1, 2022 and ending on March 10, 2023''.

SEC. 308. REAUTHORIZATION OF REPORTING REQUIREMENTS RELATED TO PENDING GENERIC DRUG APPLICATIONS AND PRIORITY REVIEW APPLICATIONS.

Section 807 of the FDA Reauthorization Act of 2017 (Public Law 115–52) is amended, in the matter preceding paragraph (1), by striking ''December 16, 2022'' and inserting ''March 10, 2023''.

SEC. 309. REAUTHORIZATION OF THIRD-PARTY REVIEW PROGRAM.

Section 523(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m(c)) is amended by striking ''December 17, 2022'' and inserting ''March 11, 2023''.

TITLE IV—INDIAN HEALTH

SEC. 401. EXTENSION OF MORATORIUM.

Section 424(a) of title IV of division G of Public Law 113–76 is amended by striking ''December 16, 2022'' and inserting ''March 11, 2023''.

DIVISION D—PRECIP ACT

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Providing Research and Estimates of Changes In Precipitation Act'' or the ''PRECIP Act''.

SEC. 2. AMENDMENT TO THE WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017 RELATING TO IMPROVING FEDERAL PRECIPITATION INFORMATION.

(a) IN GENERAL.—The Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501 et seq.) is amended by adding at the end the following:

''TITLE VI—IMPROVING FEDERAL PRECIPITATION INFORMATION

''SEC. 601. STUDY ON PRECIPITATION ESTIMATION.

''(a) IN GENERAL.—Not later than 90 days after the date of enactment of the PRECIP Act, the Administrator, in consultation with other Federal agencies as appropriate, shall seek to enter an agreement with the National Academies—

''(1) to conduct a study on the state of practice and research needs for precipitation estimation, including probable maximum precipitation estimation; and

''(2) to submit, not later than 24 months after the date on which such agreement is finalized, to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on a website, a report on the results of the study under paragraph (1).

''(b) STUDY.—The report under subsection (a) shall include the following:

''(1) An examination of the current state of practice for precipitation estimation at scales appropriate for decisionmaker needs, and rationale for further evolution of this field.

''(2) An evaluation of best practices for precipitation estimation that are based on the best-available science, include considerations of non-stationarity, and can be utilized by the user community.

''(3) A framework for—

''(A) the development of a National Guidance Document for estimating extreme precipitation in future conditions; and

''(B) evaluation of the strengths and challenges of the full spectrum of approaches, including for probable maximum precipitation studies.

''(4) A description of existing research needs in the field of precipitation estimation in order to modernize current methodologies and consider non-stationarity.

''(5) A description of in-situ, airborne, and space-based observation requirements, that could enhance precipitation estimation and development of models, including an examination of the use of geographic information systems and geospatial technology for integration, analysis, and visualization of precipitation data.

''(6) A recommended plan for a Federal research and development program, including specifications for costs, timeframes, and responsible agencies for addressing identified research needs.

''(7) An analysis of the respective roles in precipitation estimation of various Federal agencies, academia, State, tribal, territorial, and local governments, and other public and private stakeholders.

''(8) Recommendations for data management to promote long-term needs such as enabling retrospective analyses and data discoverability, interoperability, and reuse.

''(9) Recommendations for how data and services from the entire enterprise can be best leveraged by the Federal Government.

''(10) A description of non-Federal precipitation data, its accessibility by the Federal Government, and ways for National Oceanic and Atmospheric Administration to improve or expand such datasets.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized $1,500,000 to the National Oceanic and Atmospheric Administration to carry out this study.

''SEC. 602. IMPROVING PROBABLE MAXIMUM PRECIPITATION ESTIMATES.

''(a) IN GENERAL.—Not later than 90 days after the date on which the National Academies makes public the report under section 601, the Administrator, in consideration of the report recommendations, shall consult with relevant partners, including users of the data, on the development of a plan to—

''(1) not later than 6 years after the completion of such report and not less than every 10 years thereafter, update probable maximum precipitation estimates for the United States, such that each update considers non-stationarity;

''(2) coordinate with partners to conduct research in the field of extreme precipitation estimation, in accordance with the research needs identified in such report;

''(3) make publicly available, in a searchable, interoperable format, all probable maximum precipitation studies developed by the National Oceanic and Atmospheric Administration that the Administrator has the legal right to redistribute and deemed to be at an appropriate state of development on an internet website of the National Oceanic and Atmospheric Administration; and

''(4) ensure all probable maximum precipitation estimate data, products, and supporting documentation and metadata developed by the National Oceanic and Atmospheric Administration are preserved, curated, and served by the National Oceanic and Atmospheric Administration, as appropriate.

''(b) NATIONAL GUIDANCE DOCUMENT FOR THE DEVELOPMENT OF PROBABLE MAXIMUM PRECIPITATION ESTIMATES.—The Administrator, in collaboration with Federal agencies, State, territorial, Tribal and local governments, academia, and other partners the Administrator deems appropriate, shall develop a National Guidance Document that—

''(1) provides best practices that can be followed by Federal and State regulatory agencies, private meteorological consultants, and

other users that perform probable maximum precipitation studies;

''(2) considers the recommendations provided in the National Academies study under section 601;

''(3) facilitates review of probable maximum precipitation studies by regulatory agencies; and

''(4) provides confidence in regional and site-specific probable maximum precipitation estimates.

''(c) PUBLICATION.—Not later than 2 years after the date on which the National Academies makes public the report under section 601, the Administrator shall make publicly available the National Guidance Document under subsection (b) on an internet website of the National Oceanic and Atmospheric Administration.

''(d) UPDATES.—The Administrator shall update the National Guidance Document not less than once every 10 years after the publication of the National Guidance Document under subsection (c) and publish such updates in accordance with such subsection.

''SEC. 603. DEFINITIONS.

'' In this title:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.

''(2) NATIONAL ACADEMIES.—The term 'National Academies' means the National Academies of Sciences, Engineering, and Medicine.

''(3) UNITED STATES.—The term 'United States' means, collectively, each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.''.

(b) CONFORMING AMENDMENT.—Section 1(b) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8501 note) is amended in the table of contents by adding at the end the following:

''TITLE VI—IMPROVING FEDERAL PRECIPITATION INFORMATION

''Sec. 601. Study on precipitation estimation.

''Sec. 602. Improving probable maximum precipitation estimates.

''Sec. 603. Definitions.''.

SA 6542. Mr. KING (for Mr. BARRASSO) proposed an amendment to the bill S. 3957, 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; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Safeguarding Treatment for the Restoration of Ecosystems from Abandoned Mines Act'' or the ''STREAM Act''.

SEC. 2. LONG-TERM ABANDONED MINE LAND RECLAMATION.

Section 40701(c) of the Infrastructure Investment and Jobs Act (30 U.S.C. 1231a(c)) is amended—

(1) by striking ''Grants under'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), grants under''; and

(2) by adding at the end the following:

''(2) LONG-TERM ABANDONED MINE LAND RECLAMATION.—

''(A) IN GENERAL.—Not more than 30 percent of the total amount of a grant made annually under subsection (b)(1) may be retained by the recipient of the grant if those amounts are deposited into a long-term abandoned mine land reclamation fund established under State law, from which amounts (together with all interest earned on the amounts) are expended by the State or Indian Tribe, as applicable, for—

''(i) the abatement of the causes and the treatment of the effects of acid mine drainage resulting from coal mining practices, including for the costs of building, operating, maintaining, and rehabilitating acid mine drainage treatment systems;

''(ii) the prevention, abatement, and control of subsidence; or

''(iii) the prevention, abatement, and control of coal mine fires.

''(B) REPORTING REQUIREMENTS.—Each recipient of a grant under subsection (b)(1) that deposits grant amounts into a long-term abandoned mine land reclamation fund under subparagraph (A) shall—

''(i) offer amendments to the inventory maintained under section 403(c) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(c)) to reflect the use of the amounts for—

''(I) acid mine drainage abatement and treatment;

''(II) subsidence prevention, abatement, and control; and

''(III) coal mine fire prevention, abatement, and control; and

''(ii) include in the annual grant report of the recipient information on the status and balance of amounts in the long-term abandoned mine land reclamation fund.

''(C) TERM.—Amounts retained under subparagraph (A) shall not be subject to—

''(i) subsection (d)(4)(B); or

''(ii) any other limitation on the length of the term of an annual grant under subsection (b)(1).''.

SA 6543. Mr. KING (for Mr. SCOTT of Florida) proposed an amendment to the bill S. 688, to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Banning Operations and Leases with the Illegitimate Venezuelan Authoritarian Regime Act'' or the ''BOLIVAR Act''.

SEC. 2. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE MADURO REGIME.

(a) PROHIBITION.—Except as provided in subsections (b), (c), and (d), the head of an executive agency may not enter into a contract for the procurement of goods or services with any person that the head of an executive agency determines, with the concurrence of the Secretary of State, knowingly engages in significant business operations with an authority of the Government of Venezuela that is not recognized as the legitimate Government of Venezuela by the United States.

(b) EXCEPTIONS.—

(1) IN GENERAL.—The prohibition under subsection (a) does not apply to a contract that the Secretary of State determines—

(A) is necessary—

(i) for purposes of providing humanitarian assistance to the people of Venezuela;

(ii) for purposes of providing disaster relief and other urgent life-saving measures; or

(iii) to carry out noncombatant evacuations; or

(B) is in the national security interests of the United States.

(2) SUPPORT FOR UNITED STATES GOVERNMENT ACTIVITIES.—The prohibition in subsection (a) shall not apply to contracts that support United States Government activities in Venezuela, including those necessary for the maintenance of United States Government facilities in Venezuela, or to contracts with international organizations.

(3) NOTIFICATION REQUIREMENT.—The Secretary of State shall notify the appropriate congressional committees of any contract entered into on the basis of an exception provided for under paragraph (1).

(c) OFFICE OF FOREIGN ASSETS CONTROL LICENSES.—The prohibition in subsection (a) does not apply to a person that has a valid license to operate in Venezuela issued by the Office of Foreign Assets Control.

(d) AMERICAN DIPLOMATIC MISSION IN VENEZUELA.—The prohibition in subsection (a) does not apply to contracts related to the operation and maintenance of the United States Government's consular offices and diplomatic posts in Venezuela.

(e) WAIVER.—The Secretary of State may waive the requirements of subsection (a) if the Secretary of State determines that to do so is in the national interest of the United States.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate and the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives.

(2) BUSINESS OPERATIONS.—The term ''business operations'' means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(3) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(4) GOVERNMENT OF VENEZUELA.—(A) The term ''Government of Venezuela'' includes the government of any political subdivision of Venezuela, and any agency or instrumentality of the Government of Venezuela.

(B) For purposes of subparagraph (A), the term ''agency or instrumentality of the Government of Venezuela'' means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in such section to ''a foreign state'' deemed to be a reference to ''Venezuela''.

(5) PERSON.—The term ''person'' means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government; and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

(g) TERM OF APPLICABILITY.—This section shall apply with respect to any contract entered into during the three-year period beginning on the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

Mr. KING. Mr. President, I have five requests for committees to meet during

today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 9 a.m., to conduct a business meeting.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY

The Subcommittee on Africa and Global Health Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a classified briefing.

SUBCOMMITTEE ON CHEMICAL SAFETY, WASTE MANAGEMENT, ENVIRONMENTAL JUSTICE, AND REGULATORY OVERSIGHT

The Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Thursday, December 15, 2022, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that Jonathan McKernan, a detailee on the Banking Committee, be given floor privileges throughout the remainder of this Congress.

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

Mr. MANCHIN. Mr. President, I ask unanimous consent that floor privileges be granted to David Rosner—he is a FERC detailee with my staff on the Committee on Energy and Natural Resources—effective immediately through the end of Congress.

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

BANNING OPERATIONS AND LEASES WITH THE ILLEGITIMATE VENEZUELAN AUTHORITARIAN REGIME ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 96, S. 688.

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

The senior assistant legislative clerk read as follows:

A bill (S. 688) to prohibit contracting with persons that have business operations with the Maduro regime, 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.

Mr. KING. I ask unanimous consent that the Scott substitute amendment at the desk be considered read and agreed to.

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

The amendment (No. 6543) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Banning Operations and Leases with the Illegitimate Venezuelan Authoritarian Regime Act'' or the ''BOLIVAR Act''.

SEC. 2. PROHIBITION ON CONTRACTING WITH PERSONS THAT HAVE BUSINESS OPERATIONS WITH THE MADURO REGIME.

(a) PROHIBITION.—Except as provided in subsections (b), (c), and (d), the head of an executive agency may not enter into a contract for the procurement of goods or services with any person that the head of an executive agency determines, with the concurrence of the Secretary of State, knowingly engages in significant business operations with an authority of the Government of Venezuela that is not recognized as the legitimate Government of Venezuela by the United States.

(b) EXCEPTIONS.—

(1) IN GENERAL.—The prohibition under subsection (a) does not apply to a contract that the Secretary of State determines—

(A) is necessary—

(i) for purposes of providing humanitarian assistance to the people of Venezuela;

(ii) for purposes of providing disaster relief and other urgent life-saving measures; or

(iii) to carry out noncombatant evacuations; or

(B) is in the national security interests of the United States.

(2) SUPPORT FOR UNITED STATES GOVERNMENT ACTIVITIES.—The prohibition in subsection (a) shall not apply to contracts that support United States Government activities in Venezuela, including those necessary for the maintenance of United States Government facilities in Venezuela, or to contracts with international organizations.

(3) NOTIFICATION REQUIREMENT.—The Secretary of State shall notify the appropriate congressional committees of any contract entered into on the basis of an exception provided for under paragraph (1).

(c) OFFICE OF FOREIGN ASSETS CONTROL LICENSES.—The prohibition in subsection (a) does not apply to a person that has a valid license to operate in Venezuela issued by the Office of Foreign Assets Control.

(d) AMERICAN DIPLOMATIC MISSION IN VENEZUELA.—The prohibition in subsection (a) does not apply to contracts related to the operation and maintenance of the United States Government's consular offices and diplomatic posts in Venezuela.

(e) WAIVER.—The Secretary of State may waive the requirements of subsection (a) if the Secretary of State determines that to do so is in the national interest of the United States.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and Governmental Affairs and the Committee on Foreign Relations of the Senate and the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives.

(2) BUSINESS OPERATIONS.—The term ''business operations'' means engaging in commerce in any form, including acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

(3) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(4) GOVERNMENT OF VENEZUELA.—(A) The term ''Government of Venezuela'' includes the government of any political subdivision of Venezuela, and any agency or instrumentality of the Government of Venezuela.

(B) For purposes of subparagraph (A), the term ''agency or instrumentality of the Government of Venezuela'' means an agency or instrumentality of a foreign state as defined in section 1603(b) of title 28, United States Code, with each reference in such section to ''a foreign state'' deemed to be a reference to ''Venezuela''.

(5) PERSON.—The term ''person'' means—

(A) a natural person, corporation, company, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group;

(B) any governmental entity or instrumentality of a government; and

(C) any successor, subunit, parent entity, or subsidiary of, or any entity under common ownership or control with, any entity described in subparagraph (A) or (B).

(g) TERM OF APPLICABILITY.—This section shall apply with respect to any contract entered into during the three-year period beginning on the date of the enactment of this Act.

Mr. KING. I 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. KING. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 688), as amended, was passed.

Mr. KING. I further ask that the motion to reconsider be considered made and laid upon the table.

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

SAVING MONEY AND ACCELERATING REPAIRS THROUGH LEASING ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 486, S. 2793.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2793) to authorize the Administrator of General Services to establish an enhanced use lease pilot program, 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 an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Saving Money and Accelerating Repairs Through Leasing Act'' or the ''SMART Leasing Act''.

SEC. 2. ENHANCED USE LEASE PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of General Services.

(2) PILOT PROGRAM.—The term ''pilot program'' means the enhanced use lease pilot program established under subsection (b).

(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Environment and Public Works of the Senate;

(C) the Committee on Oversight and Reform of the House of Representatives; and

(D) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) ESTABLISHMENT.—The Administrator may establish an enhanced use lease pilot program under which the Administrator may authorize Federal agencies to enter into a lease with any person or entity (including another department or agency of the Federal Government or an entity of a State or local government) with regard to any underutilized nonexcess real property and related personal property under the jurisdiction of the Administrator.

(c) MONETARY CONSIDERATION.—

(1) FAIR MARKET VALUE.—A person or entity entering into a lease under the pilot program shall provide monetary consideration for the lease at fair market value, as determined by the Administrator.

(2) UTILIZATION.—

(A) IN GENERAL.—The Administrator may use monetary consideration received under this subsection for a lease entered into under the pilot program to cover the full costs to the Administration in connection with the lease.

(B) CAPITAL REVITALIZATION AND IMPROVEMENTS.—Any amounts of monetary consideration received under this subsection that are not used in accordance with subparagraph (A) shall—

(i) be deposited in a working capital account to be established by the Federal agency engaged in the lease of the property; and

(ii) remain available until expended for maintenance, capital revitalization, and improvements of the real property assets and related personal property at the Federal agency, subject to the concurrence of the Administrator.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Administrator may require such terms and conditions in connection with a lease under the pilot program as the Administrator considers appropriate to protect the interests of the United States.

(e) RELATIONSHIP TO OTHER LEASE AUTHORITY.—The authority under the pilot program to lease property under the jurisdiction of the Administrator is in addition to any other authority under Federal law to lease property under the jurisdiction of the Administrator.

(f) WAIVER.—A property leased under the pilot program shall not be subject to section 501 of the McKinney–Vento Homeless Assistance Act (42 U.S.C. 11411) before leasing the property under such pilot program.

(g) LEASE RESTRICTIONS.—

(1) NO LEASEBACK OR GUARANTEED SERVICE CONTRACT.—The Administrator may not lease back property under the pilot program during the term of the lease or enter into guaranteed service or similar contracts with the lessee relating to the property.

(2) CERTIFICATION.—The Administrator may not enter into a lease under the pilot program unless the Administrator certifies that the lease will not have a negative impact on the mission of the Administrator or the applicable Federal agency.

(3) MAXIMUM NUMBER OF LEASES.—The Administrator may enter into not more than 6 leases under the pilot program during each fiscal year.

(4) DURATION OF LEASES.—The Administrator may not enter into a lease under the pilot program with a term of more than 15 years.

(h) REPORTING.—

(1) ANNUAL REPORTS.—Not later than January 31 of each year, the Administrator shall submit to the relevant congressional committees a report on the pilot program, including—

(A) a description of each lease entered into under the pilot program, including the value of the lease, the amount of consideration received, and the use of the consideration received; and

(B) the availability and use of the funds received under the pilot program for the Administrator or the Federal agency engaged in the lease of nonexcess real property and related personal property.

(2) FINAL REPORT.—Not later than September 30, 2024, the Administrator shall submit to the relevant congressional committees a final report on the pilot program, including a recommendation on whether the pilot program should be extended.

(i) DURATION.—

(1) IN GENERAL.—The authority to enter into leases under the pilot program shall expire on September 30, 2024.

(2) SAVINGS PROVISION.—The expiration under this subsection of authority to enter into leases under the pilot program shall not affect the validity or term of leases or the retention of proceeds by the Federal agency from leases entered into under the pilot program before the expiration of the authority.

Mr. KING. I ask unanimous consent that the committee-reported substitute amendment 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.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 2793), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

COMMEMORATING THE 30TH ANNIVERSARY OF OPERATION PROVIDE COMFORT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 612, S. Con Res. 16.

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

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 16) commemorating the 30th anniversary of Operation Provide Comfort.

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic, and with an amendment to the preamble to insert the part printed in italic, as follows:

Whereas, in March 1991, Saddam Hussein responded to an uprising in Iraqi Kurdistan with a violent military campaign that included the use of chemical weapons against the citizens of Iraqi Kurdistan, most of whom were unarmed civilians;

Whereas Saddam Hussein's forces killed approximately 200,000 Iraqi Kurds, destroyed approximately 4,500 Iraqi Kurdish villages, and displaced hundreds of thousands of Iraqi Kurds who fled to the northern and eastern borders of Iraq, fearing that the regime would use chemical weapons against them, as it did during Saddam Hussein's Anfal campaign, including the Halabja chemical weapon attack only 3 years before;

Whereas, at one point in the early days of the 1991 crisis, the daily death toll of fleeing Iraqi Kurds exceeded 1,000, with victims succumbing to exposure, malnutrition, and disease;

Whereas, the United States, in response to the unfolding humanitarian catastrophe, led Operation Provide Comfort, delivering humanitarian relief and enforcing a no-fly zone, saving the lives of countless thousands of Iraqi Kurds from near certain death on the freezing and rugged border mountains of Iraqi Kurdistan;

Whereas Operation Provide Comfort provided security and stability in Iraqi Kurdistan; and

Whereas the Kurdistan regional government and the Kurdish Peshmerga remain steadfast partners of the United States in the fight against extremism and terrorism: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

That Congress—

(1) commemorates the 30th anniversary of Operation Provide Comfort;

(2) recognizes and honors the soldiers, diplomats, political leaders, and coalition partners of the United States who implemented Operation Provide Comfort;

(3) recognizes and honors the nearly 2,000,000 Iraqis, mostly Kurds, who were displaced by the Hussein regime and who survived starvation and exposure, and for whom Operation Provide Comfort offered assistance, security, and a chance for a new life;

(4) encourages Iraqi Kurdish leaders to continue to uphold the values of democracy, human rights, and freedom; and

(5) reaffirms—

(A) the strong partnership between the United States and the Iraqi Kurds, which exists in complementarity with the United States strong partnership with the Government of Iraq; and

(B) the enduring respect and support of Congress for Iraqi Kurds, who continue to stand with the United States in shared opposition to extremism and terrorism.

Mr. KING. I further ask that the committee-reported substitute amendment be agreed to; the resolution, as amended, be agreed to; the committee-reported substitute amendment to the preamble be agreed to; the preamble, as amended, 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 committee-reported amendment in the nature of a substitute was agreed to.

The resolution (S. Con. Res. 16), as amended, was agreed to.

The committee-reported amendment to the preamble in the nature of a substitute was agreed to.

The preamble, as amended, was agreed to.

FOR THE RELIEF OF REBECCA TRIMBLE

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 681, which was received from the House.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 681) for the relief of Rebecca Trimble.

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

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

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

The bill (H.R. 681) was ordered to a third reading, was read the third time, and passed.

ENERGY SECURITY AND LIGHTERING INDEPENDENCE ACT OF 2022

Mr. KING. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 5168 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 senior assistant legislative clerk read as follows:

A bill (S. 5168) to amend the Immigration and Nationality Act to include aliens passing in transit through the United States to board a vessel on which the alien will perform ship-to-ship liquid cargo transfer operations within a class of nonimmigrant aliens, and for other purposes.

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

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

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

The bill (S. 5168) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 5168

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 ''Energy Security and Lightering Independence Act of 2022''.

SEC. 2. CHANGES IN NONIMMIGRANT CATEGORIES.

(a) TRANSIT THROUGH UNITED STATES.—Section 101(a)(15)(C) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(C)) is amended to read as follows:

''(C)(i) an alien in immediate and continuous transit through the United States, for a period not to exceed 29 days;

''(ii) an alien who qualifies as a person entitled to pass in transit to and from the United Nations Headquarters District (as defined in section 209A(e) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4309a(e))) and foreign countries, under the provisions of paragraphs (3), (4), and (5) of section 11 of the Agreement regarding the Headquarters of the United Nations, done at Lake Success June 26, 1947 (61 Stat. 758); or

''(iii) an alien passing in transit through the United States to board a vessel on which the alien will perform, or to disembark from a vessel on which the alien performed, ship-to-ship liquid cargo transfer operations to or from another vessel engaged in foreign trade, for a period not to exceed 180 days;''.

(b) ALIEN CREWMEN.—Section 101(a)(15)(D) of such Act (8 U.S.C. 1101(a)(15)(D)) is amended—

(1) in clause (ii), by adding ''or'' at the end; and

(2) by adding at the end the following:

''(iii) an alien crewman performing ship-to-ship liquid cargo transfer operations to or from another vessel engaged in foreign trade, who intends to land temporarily solely in pursuit of the alien's responsibilities as a crewman and to depart from the United States on the vessel on which the alien arrived or on another vessel or aircraft, for a period not to exceed 180 days;''.

SEC. 3. CONDITIONAL PERMITS TO LAND TEMPORARILY.

Section 252(a) of the Immigration and Nationality Act (8 U.S.C. 1282(a)) is amended—

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

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(3) 180 days, if the immigration officer determines that the crewman—

''(A) intends to depart, within the period for which the crewman is permitted to land, on the same vessel or on a vessel or aircraft other than the vessel on which the crewman arrived; and

''(B) will perform ship-to-ship liquid cargo transfer operations to or from any other vessel engaged in foreign trade during such period.''.

SEC. 4. RULE OF CONSTRUCTION.

For purposes of this Act, and the amendments made by this Act, the performance by a crewman of ship-to-ship liquid cargo transfer operations to or from any other vessel engaged in foreign trade shall not be considered, for immigration purposes, to be services, work, labor or employment by the crewman within the United States.

COMMENDING AND CONGRATULATING THE NORTHERN ARIZONA UNIVERSITY LUMBERJACKS MEN'S CROSS COUNTRY TEAM FOR WINNING THE 2022 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION CROSS COUNTRY NATIONAL CHAMPIONSHIP

Mr. KING. Madam President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. Res. 865 and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 865) commending and congratulating the Northern Arizona University Lumberjacks men's cross country team for winning the 2022 National Collegiate Athletic Association Cross Country National Championship.

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

Mr. KING. Madam 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. 865) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of December 8, 2022, under ''Submitted Resolutions.'')

WAR CRIMES REWARDS EXPANSION ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 416, H.R. 4250.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 4250) to amend the State Department Basic Authorities Act of 1956 to provide for rewards for the arrest or conviction of certain foreign nationals who have committed genocide or war crimes, 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. KING. 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 (H.R. 4250) was ordered to a third reading, was read the third time, and passed.

HUMAN TRAFFICKING PREVENTION ACT OF 2022

Mr. KING. Madam President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 7181, 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 senior assistant legislative clerk read as follows:

A bill (H.R. 7181) 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.

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

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

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

The bill (H.R. 7181) was ordered to a third reading, was read the third time, and passed.

SAFEGUARDING TREATMENT FOR THE RESTORATION OF ECOSYSTEMS FROM ABANDONED MINES ACT

Mr. KING. Madam President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 3957, and the Senate proceed to its immediate consideration.

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

The senior assistant legislative clerk read as follows:

A bill (S. 3957) 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.

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

Mr. KING. I ask unanimous consent that the Barrasso substitute amendment at the desk be considered and agreed to, and the bill, as amended, be considered read a third time.

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

The amendment (No. 6542), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Safeguarding Treatment for the Restoration of Ecosystems from Abandoned Mines Act'' or the ''STREAM Act''.

SEC. 2. LONG-TERM ABANDONED MINE LAND RECLAMATION.

Section 40701(c) of the Infrastructure Investment and Jobs Act (30 U.S.C. 1231a(c)) is amended—

(1) by striking ''Grants under'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), grants under''; and

(2) by adding at the end the following:

''(2) LONG-TERM ABANDONED MINE LAND RECLAMATION.—

''(A) IN GENERAL.—Not more than 30 percent of the total amount of a grant made annually under subsection (b)(1) may be retained by the recipient of the grant if those amounts are deposited into a long-term abandoned mine land reclamation fund established under State law, from which amounts (together with all interest earned on the amounts) are expended by the State or Indian Tribe, as applicable, for—

''(i) the abatement of the causes and the treatment of the effects of acid mine drainage resulting from coal mining practices, including for the costs of building, operating, maintaining, and rehabilitating acid mine drainage treatment systems;

''(ii) the prevention, abatement, and control of subsidence; or

''(iii) the prevention, abatement, and control of coal mine fires.

''(B) REPORTING REQUIREMENTS.—Each recipient of a grant under subsection (b)(1) that deposits grant amounts into a long-term abandoned mine land reclamation fund under subparagraph (A) shall—

''(i) offer amendments to the inventory maintained under section 403(c) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(c)) to reflect the use of the amounts for—

''(I) acid mine drainage abatement and treatment;

''(II) subsidence prevention, abatement, and control; and

''(III) coal mine fire prevention, abatement, and control; and

''(ii) include in the annual grant report of the recipient information on the status and balance of amounts in the long-term abandoned mine land reclamation fund.

''(C) TERM.—Amounts retained under subparagraph (A) shall not be subject to—

''(i) subsection (d)(4)(B); or

''(ii) any other limitation on the length of the term of an annual grant under subsection (b)(1).''.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. KING. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3957), as amended, was passed.

Mr. KING. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

AMENDING TITLE 38, UNITED STATES CODE, TO DIRECT THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE FOR PEER SUPPORT SPECIALISTS FOR CLAIMANTS WHO ARE SURVIVORS OF MILITARY SEXUAL TRAUMA

Mr. KING. Madam President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged and the Senate proceed to the immediate consideration of H.R. 2724.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2724) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide for peer support specialists for claimants who are survivors of military sexual trauma, and for other purposes.

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

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

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

The bill (H.R. 2724) was ordered to a third reading, was read the third time, and passed.

ORDERS FOR MONDAY, DECEMBER 19, 2022

Mr. KING. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m. on Monday, December 19, and 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 for the consideration of the Gruenberg nomination.

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

Mr. KING. For the information of the Senate, Senators should expect a rollcall vote at approximately 5:30 p.m. on Monday, December 19.

ADJOURNMENT UNTIL MONDAY, DECEMBER 19, 2022, AT 3 P.M.

Mr. KING. Madam 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 10:02 p.m., adjourned until Monday, December, 19, 2022, at 3 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 15, 2022:

THE JUDICIARY

MUSETTA TIA JOHNSON, OF VIRGINIA, TO BE A JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES FOR A TERM OF FIFTEEN YEARS TO EXPIRE ON THE DATE PRESCRIBED BY LAW.

KENDRA DAVIS BRIGGS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

ERROL RAJESH ARTHUR, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

LESLIE A. MEEK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

CARL EZEKIEL ROSS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

LAURA E. CRANE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

VERONICA M. SANCHEZ, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

VIJAY SHANKER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS.

DEPARTMENT OF STATE

KATHLEEN ANN KAVALEC, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ROMANIA.

JESSICA DAVIS BA, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF COTE D'IVOIRE.

DEPARTMENT OF JUSTICE

HENRY C. LEVENTIS, OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS.

MICHAEL D. BLACK, OF OHIO, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF OHIO FOR THE TERM OF FOUR YEARS.

CATRINA A. THOMPSON, OF NORTH CAROLINA, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAVID C. EPPERSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. THOMAS P. SHERMAN

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. FRANCIS L. DONOVAN

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. DONALD K. CARPENTER
BRIG. GEN. SAMUEL C. KEENER
BRIG. GEN. MARK W. MITCHUM
BRIG. GEN. MARK D. PIPER

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEVEN S. NORDHAUS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. PAIGE M. JENNINGS

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JONATHAN T. STEPHENS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. MARCUS B. ANNIBALE
BRIG. GEN. LORNA M. MAHLOCK
BRIG. GEN. JOSEPH A. MATOS III
BRIG. GEN. DAVID L. ODOM
BRIG. GEN. THOMAS B. SAVAGE
BRIG. GEN. WILLIAM H. SWAN
BRIG. GEN. BRIAN N. WOLFORD
BRIG. GEN. CALVERT L. WORTH, JR.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. CHARLES R. HAMILTON

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH KIMBERLY N. BARR AND ENDING WITH BENJAMIN D. YOUNGQUIST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 3, 2022.

AIR FORCE NOMINATIONS BEGINNING WITH NATHAN J. ABEL AND ENDING WITH BAI LAN ZHU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 3, 2022.

AIR FORCE NOMINATIONS BEGINNING WITH BILLY S. ALLEN AND ENDING WITH JOSHUA D. WILD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 3, 2022.

AIR FORCE NOMINATIONS BEGINNING WITH ALLEN Y. AGNES AND ENDING WITH JOSE L. ZAMBRANO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 3, 2022.

AIR FORCE NOMINATIONS BEGINNING WITH DANIEL A. BUNCH AND ENDING WITH MICHAEL WILLIAM SUDEN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 3, 2022.

AIR FORCE NOMINATIONS BEGINNING WITH DEAR BELOVED AND ENDING WITH JOHN T. SZCZEPANSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON AUGUST 3, 2022.

AIR FORCE NOMINATIONS BEGINNING WITH KARLA E. ADAMS AND ENDING WITH JESSE M. WICKHAM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2022.

AIR FORCE NOMINATIONS BEGINNING WITH JACQUELINE E. BVLGARI AND ENDING WITH KELLY L. VERMILLION, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2022.

AIR FORCE NOMINATION OF KEENAN E. DALRYMPLE, TO BE MAJOR.

AIR FORCE NOMINATION OF SUSAN D. BAUMGARTNER, TO BE MAJOR.

AIR FORCE NOMINATION OF STIGEN A. WESTBERG, TO BE MAJOR.

AIR FORCE NOMINATION OF BEAU D. GRAHAM, TO BE MAJOR.

AIR FORCE NOMINATION OF KRISTEN M. BARRA, TO BE MAJOR.

AIR FORCE NOMINATION OF EVANS R. WRIGHT, TO BE MAJOR.

AIR FORCE NOMINATION OF JEREMY A. KROHNGOLD, TO BE MAJOR.

AIR FORCE NOMINATION OF CHANDRAMOULI RAJARAM, TO BE LIEUTENANT COLONEL.

IN THE ARMY

ARMY NOMINATION OF SEAN P. HUTCHISON, TO BE MAJOR.

ARMY NOMINATION OF ANDREW K. ARRINGTON, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF CHRISTOPHER A. KREILER, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH MICHAEL A. RIZZOTTI AND ENDING WITH BRETT C. SHEPARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 7, 2022.

ARMY NOMINATION OF RONALD W. SPRANG, TO BE COLONEL.

ARMY NOMINATION OF RYAN C. AGEE, TO BE COLONEL.

ARMY NOMINATION OF PHILIP J. DEAGUILERA, TO BE COLONEL.

ARMY NOMINATION OF BRIAN C. BELDOWICZ, TO BE COLONEL.

ARMY NOMINATION OF CHRISTOPHER A. BENSON, TO BE MAJOR.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH DAVID AHN AND ENDING WITH JAY M. ZARRA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 7, 2022.

IN THE NAVY

NAVY NOMINATION OF TAPEKA C. PRINGLE, TO BE LIEUTENANT COMMANDER.

IN THE SPACE FORCE

SPACE FORCE NOMINATION OF ASHTON M. SHELTON, TO BE MAJOR.