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Senate

(Legislative day of Friday, September 22, 2023)

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

PRAYER

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

Let us pray.

Immortal, invisible, God only wise, You still work wonders in the Earth. Teach us to do Your will. Teach us that prayer still brings results. Teach us that we need not fear what the future holds, for Your mercies endure forever. Teach us that Your blessings come new every day. Teach us to number our days to appreciate life's precious moments. Lord, teach us that You are able to do immeasurably, abundantly above all that we can ask or imagine, according to Your power working in and through us.

As our lawmakers continue to attempt to avert a government shutdown, give them courage and wisdom for the living of these days.

We pray in Your sovereign 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.

LEGISLATIVE SESSION

SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT—MOTION TO PROCEED—Continued

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3935, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. WARNOCK). The majority leader is recognized.

CONTINUING RESOLUTION

Mr. SCHUMER. Mr. President, today, the U.S. Senate will continue its pursuit of a bipartisan bridge CR to avoid a devastating government shutdown.

In a little over an hour, we will vote on the motion to proceed to the FAA reauthorization, which will serve as a vehicle for the CR I announced with Leader MCCONNELL 2 days ago. Once we are on the bill, I will be introducing the substitute amendment, which will contain the legislative text of the bipartisan bridge CR, which the Appropriations Committee worked so hard on. And, again, I salute Senators MURRAY and COLLINS for the good job they have done. I will file cloture on the substitute and the underlying bill. So Members can expect to vote for cloture on Saturday, if not sooner.

Things are coming down to the wire. As I have said for months, Congress has only one option—one option—to avoid a shutdown: bipartisanship. It was true yesterday. It is true today. It will be true tomorrow.

With bipartisanship, we can responsibly fund the government and avoid the sharp and unnecessary pain for the American people and the economy that a shutdown will bring. With bipartisanship, we can speed along this process here in the Senate. We can come to an agreement on voting on amendments and allow the Senate to work its will in a timely fashion. With bipartisanship, we can make good on the deal reached earlier this summer to avoid default.

Remember—remember—bipartisan majorities agreed to funding levels back in June. The leaders of the House, the Senate, and the White House—we all shook hands on this deal, but now the Speaker and only the Speaker is going back on his word. He is the only one of the five to go back on his word. By being the only one to go back on his word, Speaker MCCARTHY is saying he cares more about the whims of the hard right—the hard, hard right—than avoiding a shutdown.

We cannot have that. We need bipartisanship. If he persists in partisanship, which he is doing now, by always looking over his hard-right shoulder, he will create a shutdown. Sadly, every move the Speaker has taken, since the bipartisan deal in June, has been to shred any prospects of bipartisanship. By focusing on the views of the radical few, instead of the many, Speaker MCCARTHY has made a shutdown far more likely.

Let me say that again. Let me say that again. By focusing on the views of the radical few, instead of the many, Speaker MCCARTHY has made a shutdown far more likely.

Despite the fact that many on both sides want to work together, despite the fact that, here in the Senate, we are pursuing bipartisanship, the Speaker has chosen to elevate the whims and desires of a handful of hard-right extremists and has nothing to show for it.

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

We saw a glaring example last night. Last night, on the floor of the House, the House voted twice, with overwhelming bipartisan majorities, to keep Ukraine funding in the House Defense appropriations bill—each time with over 330 votes, a majority of both Democratic and Republican Members. And yet, after the vote, the Republican leadership in the House subverted the will of the House by going to the Rules Committee and cut the aid to Ukraine anyway.

Can you believe that? Ten or so extremists, who don't care at all about governing, about preserving democracy or America's strength in the world, hold more sway in Speaker MCCARTHY's mind than the majority of his party and the vast majority of the House of Representatives, which he leads.

We need to be showing strength against Putin, not weakness. We need to be defending democracy, not abandoning our friends abroad. Speaker MCCARTHY is letting a small band of very extreme Members override the views of everyone else. It is the tail wagging the dog.

That is the crux of the entire shutdown message, and if Speaker MCCARTHY continues on his path, it will have consequences for years to come. If we are forced to abandon Ukraine by a handful of extreme people who seem to have no sense of the reality of the world, we will pay a price for years to come.

How can Speaker MCCARTHY let that happen? How can he let that happen?

A divided government demands compromise. By ignoring this, Speaker MCCARTHY is driving the country straight to a shutdown, and the longer he resists bipartisanship, the greater the damage of a shutdown will be to the American people.

It has been alarming over the last few days to listen to some of my House colleagues on the hard right talk so casually about shutting the government down. Some of them seem proud to do it. They sort of brag about it. It is incredible. They seem completely unbothered that, in a shutdown, over a million Active-Duty military members won't get their pay. A shutdown would degrade troop readiness and devastate our southern border—something our friends on the other side, who claim to care about border security, conveniently ignore. Small business would lose access to capital. Home buyers would be unable to secure loans. Our supply chains would be imperiled, and costs for American families would go up and up—all because of a needless shutdown caused by a few extremists and Speaker MCCARTHY's obeisance to them.

This will all become a reality, unfortunately, in less than 3 days, unless Speaker MCCARTHY abandons his doomed mission of succumbing to the MAGA radicals. The only way—the only way, once again—and I have to keep repeating it because maybe it will sink in over there. The only way we prevent a government shutdown is by voting on legislation that can get bipartisan support. That is what we will work on here in the Senate today.

As I have said, the bill before us later today is a bridge, not the final destination. I urge my colleagues to continue to work to advance this bipartisan bridge CR and to avoid a reckless and devastating government shutdown.

The Senate, once again, is called on to lead by example—to lead the House and the Speaker by example.

SAFER BANKING ACT

Mr. President, now on SAFER Banking, yesterday, the SAFER Banking Act, I am happy to say, was reported out of the Banking Committee with a good bipartisan majority of 14 to 9. The next step is to bring SAFER Banking to the floor for a vote, which I will do soon.

I worked long and hard—for years—to get us to this point, and now the Senate is one crucial step closer to helping cannabis businesses operate more efficiently, more safely, and more transparently in the States that allow cannabis to be sold.

I brought together a bipartisan coalition, with Senators MERKLEY and DAINES, LUMMIS, SINEMA, and REED, and we committed to reaching a deal on the issue; and I am really proud of the bipartisan deal we produced. I also want to thank Chairman BROWN and Ranking Member SCOTT for moving SAFER Banking through the committee. And, again, let me repeat, my other colleagues were heavily involved: Senators LUMMIS and SINEMA and REED and, of course, MERKLEY and DAINES, the lead sponsors of the SAFER Banking bill.

SAFER Banking's bipartisan vote in the Banking Committee underscores how much momentum we have right now on cannabis banking and how important the issue is for so many business owners and communities across the country. No industry has the ability to thrive if its businesses can't access basic banking infrastructure, especially not an industry growing as quickly and one as new as the cannabis industry.

Congress must always be in the business of promoting entrepreneurs, promoting small businesses, and promoting job growth. SAFER Banking will do that precisely in the cannabis industry—connect cannabis businesses to resources like bank accounts and small business loans—creating a safer and more transparent environment in which they can grow.

When I go to the floor, we will add very significant criminal justice provisions to the bill as well, and that is important as well, and I will talk more about that at a later time.

So, again, I thank my colleagues on both sides for their cooperation on this legislation. We have been working on it for years. Now is the time to get it done.

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.

GOVERNMENT FUNDING

Mr. MCCONNELL. Mr. President, well, Congress has 3 days left to pass straightforward, short-term funding legislation to prevent the Federal Government from shutting down. That is 3 more days to provide essential resources at the current rate of operations before critical government functions come to a screeching halt.

Let's be absolutely clear about what is at stake. Shutting down the government is not like pressing ''pause.'' It is not an interlude that lets us pick up where we left off. It is an actively harmful proposition. Instead of producing any meaningful policy outcomes, it would actually take the important progress being made on a number of key issues and drag it backward.

Back in 2019, our colleagues on the Homeland Security and Governmental Affairs Committee found that over the previous 5 years, government shutdowns had cost the taxpayer nearly $4 billion—$4 billion. The American people covered at least $3.7 billion in backpay for Federal workers. Some went to servicemembers, law enforcement officers, and other frontline personnel who actually stayed on duty. But some went to cover the equivalent of nearly 57,000 years of work that Federal employees hadn't even been allowed to complete. And that is not to mention hundreds of millions of dollars in extra administrative costs.

America cannot afford for Congress to take government shutdowns lightly. That is especially true of the crisis at our Nation's southern border.

The Biden administration's utter failure to secure the border has been recordbreaking in the worst possible ways. Functionally open borders have led to alltime high migration and stretched border security resources literally to a breaking point.

Meanwhile, flows of deadly drugs have made every State actually a border State. In fact, the Border Patrol reported recently that in the past year, agents have seized enough fentanyl alone to kill the entire population of the United States.

Time and again, government shutdowns have made the essential work of the Border Patrol and ICE even harder.

Many of our colleagues have pointed out how border security personnel, like the Armed Forces, would work through a shutdown without pay, but the full consequences go beyond financial hardship. As our colleagues' 2019 report found, past shutdowns have delayed important maintenance and repair

work that ''endangered the lives of law enforcement officers and created significant border security vulnerabilities.'' They have forced officials to cancel tens of thousands of immigration hearings, and they have taken the Department of Homeland Security's employee E-Verify system completely offline.

Shutting down the government is a choice, and it is a choice that would make the crisis at the southern border even worse.

I am encouraged that many of our colleagues who share my concerns are working to ensure that the short-term funding measure we pass this week gives the men and women of Border Patrol and ICE critical resources while we continue our work to clean up Washington Democrats' mess.

BIDEN ADMINISTRATION

Mr. President, on an entirely different matter, this week, the Senate will have the opportunity to push back one more time on a pair of shortsighted Biden administrative policies with major consequences for small businesses and landowners across America.

Earlier this year, thanks to the leadership of our colleagues, the junior Senator for Kansas and the junior Senator for Oklahoma, the Senate passed two resolutions disapproving of President Biden's decision to up-list two creatures—the lesser prairie-chicken and the northern long-eared bat—as endangered species.

As is so often the case under the Endangered Species Act, this move by Washington bureaucrats would encroach on private property rights and block infrastructure and economic development in the name of preserving habitat. As many as 37 States would be affected by the designation of the northern long-eared bat as ''endangered,'' and nearly $14 billion in agricultural production would be affected by the designation of the lesser prairie-chicken.

Now, in reality, aerial estimates show that numbers of lesser prairie-chickens have grown from less than 17,000 in 2013 to over 26,000 in 2022, and the President's own experts admit that the declining population of northern long-eared bats is mostly explained by disease, not humans. Of course, that hasn't stopped the Biden administration from pushing ahead with a plan to infringe on property rights, impede urgent infrastructure, and put even more of America's energy abundance literally out of reach.

So I would like to thank Senator MARSHALL and Senator MULLIN for their leadership on this resolution, and I would like to urge each of our colleagues to join me in voting to override the President's veto.

The PRESIDING OFFICER. The majority whip.

GOVERNMENT FUNDING

Mr. DURBIN. Mr. President, it is that time of year again—ending the month of September, starting a new fiscal year. We have a responsibility we accept as Members of Congress to do some things: Answer rollcalls, respond to our constituents, keep the lights on in the Federal Government. The third issue is one which we are contesting this week.

The Senate, I believe, has taken a responsible, thoughtful approach to this. It gets down to basics. There are 51 Democrats, 49 Republicans, effectively, and most measures of consequence require more than a majority vote. So the decision was made by both Senator SCHUMER and Senator MCCONNELL to put together a continuing resolution, which is a stopgap spending measure, on a bipartisan basis so that we would have bipartisanship as the starting point. They achieved that. They achieved that in a way that surprised a lot of people because we had a procedural vote in the Senate on the Senate bipartisan continuing resolution and 77 Senators voted in favor. Now, 77 Senators in the U.S. Senate is more than just a supermajority; it is a pretty impressive number, and it doesn't happen very often.

On Tuesday evening, the Senate Appropriations Committee chair, Senator PATTY MURRAY of Washington, working with Republican Senator SUSAN COLLINS of Maine, released a text of the bipartisan continuing resolution. It spelled out what we think needs to be done to keep the government open and functioning for about 6 or 7 weeks, until November 17, giving us time to negotiate a budget for remainder of the year.

I would quickly add that the efforts of Senator MURRAY and Senator COLLINS in the Appropriations Committee leading up to this moment were historic in nature. It has been more than 5 years, I believe, since we have come to the floor and actually debated spending bills and actually amended spending bills on the floor. We usually are faced with short-term spending bills or omnibus bills that combine the entire budget in one massive piece of legislation. But Senators MURRAY and COLLINS had us moving in the right direction, a bipartisan direction, and that is evidenced as well in their efforts in this continuing resolution.

This continuing resolution does more than keep the lights on. It includes crucial emergency assistance and program extensions.

It includes $6.5 billion to maintain our commitment to Ukraine and $6 billion to help FEMA respond to federally declared disasters, including one in my State of Illinois, where 20 counties are working to recover from the impact of summer storms.

It would prevent a lapse in funding for critical healthcare efforts, like community healthcare centers. I am sure the Presiding Officer has visited many of these centers in his State. I have in my State.

It really is one of the more amazing products coming out of the Affordable Care Act. I can remember when Senators met at the last minute and demanded that we fund these community healthcare clinics as part of the bill. It was a stroke of genius. It meant that people of limited means would have access to quality medical care. I have said, and it is not political puffery, that if I were seriously ill, I would gladly visit one of these clinics and seek treatment because I think they are that good.

Also, there is the Special Supplemental Nutrition Program for Women, Infants, and Children. It is one thing to give a speech about families and mothers, mothers surviving pregnancy, and about children, young children, getting off to a strong start in life; it is another thing to put bread on the table. The WIC Program puts bread on the table. In our continuing resolution, we keep the lights on at that Agency. It is the right thing to do.

We would also extend the authorization to the Federal Aviation Administration through December 31. How important is safety in airline travel? Critically important. If you remember the last time there was a threat of shutting down the government, it was the people responsible for regulating and keeping our planes safe that convinced us we could no longer play that game. I hope we don't have to go through that experience again.

This week, 77 Senators recognized that bipartisanship was the solution to avoiding a shutdown. That includes the leaders of both parties, the Democratic chair of the Senate Appropriations Committee and the ranking member, whom I have noted.

Unfortunately, over in the House, it is just an exercise in chaos. Speaker MCCARTHY has declared the bipartisan Senate continuing resolution is dead on arrival. Our bipartisan bill, worked out with both sides of the aisle, that won 77 votes, he has dismissed as unacceptable. For reasons beyond my understanding, he has chosen the far-right rebellion of a few MAGA House Republicans over the continued, orderly function of our government. He has chosen to put bipartisanship and politics above the American people.

For however long it takes the Speaker to gain control of this small faction of his party, essential social services will be slowed, Federal employees and military servicemembers will go without paychecks for their families.

This group of extreme Republicans is intent on slashing millions from social programs, attaching their political agenda for our border before they will even begin to discuss keeping the government open. The American people deserve better.

I just left a meeting of the Senate Committee on the Judiciary where Senator GRAHAM raised the legitimate concern about what is happening at our border. We are being swamped with people seeking entry into the United States. This is not unusual. If you look around the world, that is happening in many places. There are so many people now who have been dislocated from

their homes that the refugee experts tell us there is no record of such a number in the modern history of the world. It is no surprise that the United States, as a prize destination, is feeling that pressure.

Why would it make sense, I would say to Speaker MCCARTHY, for us to shut down the government and take the men and women who are along the border now, trying to keep us safe, and make a dramatic budget cut in their Agency? It is just the opposite of what we need. We need the resources and the personnel to have an orderly process at our border. Shutting down the government fails to meet that responsibility.

The group of extreme Republicans intent on slashing millions on social programs and attaching their political agenda to the border say that they want to discuss these issues before any serious measure is considered. The American people deserve better. We are not a bargaining chip.

A shutdown would harm every American who relies on government services. It would halt small business loans and, if you can imagine, stall medical research at the National Institutes of Health and jeopardize nutrition assistance for low-income women, infants, and children. It would delay food safety inspection and deprive children access to Head Start. It would likely cause travel delays because more than 13,000 air traffic controllers and 50,000 TSA officers would be forced to work without pay. It would also furlough 1,000 air traffic controllers who are now being trained for filling the vacancies critically important at that Agency.

Shutdowns are slowing down our economy progress and jeopardizing jobs and future economic growth. They also tell the world that, in America, politics can rule. It can get in the way of basically paying our bills, providing service to our people, and conducting day-to-day business that keeps our Nation afloat.

The last three government shutdowns led to 56,940 years in lost productivity and cost the government at least $338 million in additional costs and late fees. That is American taxpayer dollars that are being wasted because of this shutdown.

The last full shutdown in 2013 reduced gross domestic product growth by $20 billion, and a 5-week partial shutdown in 2018 reduced economic output by $11 billion.

I urge my House Republican colleagues to resist making shutdowns a 5-year tradition in their party. If we have the option of keeping the government funded while we continue to negotiate a longer term funding plan, why put the Nation through this pain?

Funding the government is one of the essential parts of this job. It is time that we meet our responsibility and do it in a way that doesn't disrupt America's livelihood and well-being. We need to finish the full-year appropriations process and do it in a responsible way.

I urge my colleagues in both Chambers to choose bipartisanship and pass the Senate continuing resolution so we can continue the important process of funding the government in a grownup, responsible way for the year 2024.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

ENERGY

Mr. THUNE. Mr. President, the Biden administration's war on affordable and reliable energy continues.

Three weeks ago, the administration announced a cancellation of seven oil and gas leases in the small portion of ANWR, the Arctic National Wildlife Refuge, that is available for energy exploration and development.

It was just the latest move by the Biden administration to stifle conventional energy production. In his State of the Union Address this year, the President acknowledged that ''[w]e're going to need oil for at least another decade . . . and beyond that.'' Let me just repeat that. Again, these are President Biden's own words:

> We're going to need oil for at least another decade . . . and beyond that.

Well, in this case, the President is right. While alternative energy is powering an increasing share of American energy production, we are nowhere near being able to rely exclusively on alternative energy technologies. We are going to need conventional energy for quite a while yet.

The best way to get that conventional energy is by developing the United States' abundant domestic resources in an environmentally responsible way. But the President's anti-development strategy seems designed to force us to remain at the mercy of producers like OPEC and to rely on expensive imports from sometimes dangerous or unstable countries and regions.

There are multiple problems with relying on foreign sources of oil, not the least of which is the potential for our oil dollars to fund oppressive regimes. But even leaving that aside, depending on foreign oil sources threatens the stability and affordability of our oil supply. You only need to look at the energy challenges and soaring costs countries like Germany have faced in the wake of Russia's invasion of Ukraine to recognize how perilous it can be to rely on another country for energy.

Anyone who is concerned about the environment should recognize that oil and gas production here in the United States is likely to be substantially more environmentally friendly than a lot of foreign production.

The President's war on domestic production isn't the only dangerous element of his energy strategy. Also of deep concern is the President's apparent determination to force Americans to adopt electric vehicles on a broad scale within the next decade. Why is this so concerning? Because our electric grid is nowhere near capable of supporting that kind of widespread transition to electric vehicles.

Rising electricity demand is already stretching our grid, which has been weakened by the move away from conventional energy sources. In an apparent response to the impact of overreaching Green New Deal-style politics, NERC, which is the North American Electric Reliability Corporation, for the first time identified energy policy as a risk to grid reliability in its recent biennial report.

Discussing the move away from conventional sources of electricity, NERC found that ''[c]ollectively, the new resource mix can be more susceptible to long-term, widespread Extreme Events, such as extreme temperatures or sustained loss of wind/solar, that can impact the ability to provide sufficient energy as the fuel supply is less certain.''

In February, the PJM Interconnection, which manages a substantial part of Eastern America's electric grid, released a report warning that fossil fuel plants are being forced to retire at a faster rate than new renewables can be brought online at a rate of roughly 2 to 1.

In other words, we are rapidly approaching a situation which we simply don't have the ability to keep up with current electricity demand. Add charging for tens of thousands or hundreds of thousands of electric vehicles on top of that, and we could be looking at a future of widespread blackouts and brownouts, to say nothing of soaring electricity prices.

I should also mention that the Biden administration's proposed distribution transformer rule, which would require a move to amorphous steel cores for more distribution transformers—what that would do to the grid is simply no favors whatsoever. In fact, it would be almost guaranteed to worsen supply chain issues and seriously slow grid maintenance and upgrades.

And the supply chain backlog is a top concern for utilities and electric cooperatives, which are already facing headwinds from overreaching EPA regulations. I don't need to tell anyone that utility bills for electricity and natural gas have risen dramatically since President Biden took office, as have gas prices. It is a predictable outcome of the economic and energy policies that President Biden has pursued. If his war on conventional energy continues, today's high prices could look cheap next to the energy prices of the future.

I am a strong and longtime supporter of renewable energy, and I am proud to be from a State that is a top producer of ethanol and that derives a substantial portion of its electricity generation from renewable resources like wind and hydroelectric.

But the fact of the matter is, energy technology has simply not advanced to the point where we can rely solely or even, for that matter, mostly on renewables. While the President may sometimes pay lip service to our continuing need for conventional energy,

his actual policies seem to ignore this fact and are setting us up for a future of higher prices, grid instability, and insufficient supply.

The President's policies have already resulted in a 2-year-plus inflation crisis.

If he keeps going the way he has been going, his legacy may include an energy crisis as well.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

UNANIMOUS CONSENT AGREEMENT—VETO MESSAGES ON S.J. RES. 9 AND S.J. RES. 24

Mrs. MURRAY. Mr. President, I ask unanimous consent to modify the previous order in relation to the veto messages on S.J. Res. 9 and S.J. Res. 24 so that, beginning at 2:20 p.m. today, there be up to 20 minutes for debate, concurrently and equally divided between the two leaders or their designees, prior to rollcall votes on the passage of S.J. Res. 9 and S.J. Res. 24 in the order listed, the objections of the President to the contrary notwithstanding.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONTINUING RESOLUTION

Mrs. MURRAY. Mr. President, we all know we are down to the wire right now, so we need to keep moving with this CR so we can avoid a damaging and completely unnecessary shutdown.

This is a straightforward, bipartisan CR that simply keeps the government funded so we can continue work on our full-year bills. It includes absolutely essential, time-sensitive reauthorizations for the FAA and others and extends urgently needed funding for disaster relief and our allies in Ukraine.

I worked closely with the Senator from Maine and leadership in both parties to put together a truly straightforward bill that can pass the Senate, pass the House, and be signed into law. I am confident there is enough support for this to pass the Senate and the House just as soon as we put it up for a vote. The question is how quickly we can all work to get this done.

I understand there are Senators who don't think there is enough in this bill, but this is not meant to be the end-all, be-all when it comes to legislating; it is meant to prevent a devastating shutdown. I think we all understand there is more work to do on many of these issues.

Many of you want to do more on disaster relief—something we must do after we prevent a shutdown that cuts off relief to communities in the middle of a recovery. I want to address the childcare funding cliff head on, which we have got to do after we pass this so we can save parents and kids from a shutdown that would mean they would lose their access to Head Start. I know there are colleagues concerned about doing more on border security—something I am willing to continue to discuss—but time is of the absolute essence here, and a shutdown would mean the folks who are working at our southern border would be forced to work without paychecks.

A shutdown is no solution to anything. We have got 12 bipartisan appropriations bills I have worked with many Members on both sides of the aisle to pull together, and I want to get them passed and address all of these critical issues, but we need to prevent a shutdown first.

So let's not act like this CR is the last bill Congress is ever going to pass. Let's get this done so we can avoid a shutdown that hurts our families, hurts our economy, hurts our national security, and more. Then let's get back to work on the other issues that are important to everyone here and to the folks we work for back home. I urge all of our colleagues to vote yes now on the motion to proceed.

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.

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

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

Mrs. MURRAY. Mr. President, I urge that we go to the vote.

VOTE ON MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to proceed.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Ms. SMITH) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 76, nays 22, as follows:

[Rollcall Vote No. 241 Leg.]

YEAS—76

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

NAYS—22

Blackburn	Hagerty	Risch
Braun	Hawley	Schmitt
Britt	Johnson	Scott (FL)
Budd	Lee	Sullivan
Crapo	Lummis	Tuberville
Cruz	Marshall	Vance
Daines	Paul	
Fischer	Ricketts	

NOT VOTING—2

Scott (SC)
Smith

The motion was agreed to.

SECURING GROWTH AND ROBUST LEADERSHIP IN AMERICAN AVIATION ACT

The PRESIDING OFFICER (Mr. KING). The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3935) to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

AMENDMENT NO. 1292

(Purpose: In the nature of a substitute.)

Mr. SCHUMER. Mr. President, I call up my amendment No. 1292 and 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 New York [Mr. SCHUMER], for Mrs. MURRAY, proposes an amendment numbered 1292.

Mr. SCHUMER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 1293 TO AMENDMENT NO. 1292

Mr. SCHUMER. Mr. President, I call up my amendment No. 1293 and 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 New York [Mr. SCHUMER] proposes an amendment numbered 1293 to amendment No. 1292.

Mr. SCHUMER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment 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 1 day after the date of enactment of this Act.

MOTION TO COMMIT WITH AMENDMENT NO. 1294

Mr. SCHUMER. I move to commit H.R. 3935 to the Committee on Commerce, Science, and Transportation, with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER], moves to commit the bill H.R. 3935 to the Committee on Commerce, Science, and Transportation with instructions to report back forthwith an amendment numbered 1294.

Mr. SCHUMER. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment 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 3 days after the date of enactment of this Act.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

AMENDMENT NO. 1295

Mr. SCHUMER. Mr. President, I have an amendment to the instructions 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 1295 to the instructions of the motion to commit H.R. 3935 to committee.

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

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

The amendment is as follows:

(Purpose: To modify the effective date)

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

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Murray substitute amendment No. 1292 to Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

Charles E. Schumer, Patty Murray, Tammy Baldwin, Jon Ossoff, Angus S. King, Jr., Richard J. Durbin, Jeanne Shaheen, Margaret Wood Hassan, Amy Klobuchar, Ron Wyden, Jack Reed, Elizabeth Warren, John Fetterman, Edward J. Markey, Tim Kaine, Robert P. Casey, Jr., Richard Blumenthal, Catherine Cortez Masto, Chris Van Hollen, Tammy Duckworth

CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 211, H.R. 3935, a bill to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes.

Charles E. Schumer, Patty Murray, Tammy Baldwin, Jon Ossoff, Angus S. King, Jr., Gary C. Peters, Mazie K. Hirono, Joe Manchin III, Richard J. Durbin, Jeanne Shaheen, Elizabeth Warren, Tammy Duckworth, Edward J. Markey, John Fetterman, Tim Kaine, Robert P. Casey, Jr., Jacky Rosen, Jeff Merkley, Richard Blumenthal, Margaret Wood Hassan.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, September 28, be waived.

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

I yield the floor.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Hawaii.

GOVERNMENT FUNDING

Mr. SCHATZ. Mr. President, no one wins in a shutdown—not Republicans, not Democrats, and certainly not the people of Hawaii or Americans across the country. I have been here for three previous shutdowns, in the majority and in the minority, and I have seen the same thing over and over again. Shutdowns don't work. The government eventually reopens, and neither side has accomplished a single thing.

No one wins, but Americans have a lot to lose. Millions of Federal workers, including military personnel, will be forced to work without pay. Children most in need will lose access to food and early education programs. Tens of millions of people can't get care at community health centers. The food that we eat will go uninspected. Relief for disaster-stricken communities will grind to a halt. Loans for small businesses will not get processed. Seniors will have to wait to get new Medicare cards. Travelers will face the risks of more delays.

We have the ability and the responsibility to prevent all of this unnecessary pain and disruption, which is why, Tuesday and today, the Senate has a solution. The Senate voted overwhelmingly to advance a bipartisan bill that will keep the government open.

Look, this is not the Civil Rights Act. This is not that big of a legislative accomplishment. It is a 47-day stopgap measure to prevent a really ridiculous, terrible thing from happening. But we do need to pass it.

Anyone that is serious about governing knows that the only way to prevent a shutdown is through bipartisanship. And let me just repeat that: The only way to prevent a shutdown is through bipartisanship.

This bill is a compromise. No one will get what they really wanted, but it is the only viable path to keeping the government open as we work on passing appropriations bills in the regular order for the full year. It is really that simple.

I just want to point out one thing about shutdowns. We don't have to do this to ourselves. Shutdowns are a uniquely American tactic. We are not more prone to polarization or partisanship than other governments across the world. But you look around the planet, and you won't find other legislatures pulling the plug on the government itself and the critical services that people need because they couldn't resolve a policy dispute. It just doesn't happen because it is that ridiculous, it is that insane, it is that counterproductive. Only we do this to ourselves. But here, some House Republicans are openly inviting a shutdown that we know will exact pain on millions of American families.

Representative NORMAN has said:

We are going to have a shutdown. It's just a matter of how long.

Representative ROSENDALE agreed, saying:

I will not vote for a CR. It doesn't matter what you attach to it.

What a weird thing to say:

It doesn't matter what you attach to it.

''It doesn't matter what you attach to it''—I am for a shutdown.

And this from Representative BOB GOOD, who sums up their warped view:

We shouldn't fear a government shutdown.

Well, maybe a Member of Congress is not afraid of a government shutdown, but all of the people who work for the Federal Government and all of the people who rely on Federal services do fear a government shutdown.

One of their Republican colleagues agrees with me:

This is not conservative Republicanism. This is stupidity. . . . These people can't define a win.

That is the problem. The only thing these people know is that they want to shut the government down. They haven't even articulated their policy demands, and we are 48 hours out.

So we need to act like grownups and do our job. And I just want to be clear:

We are acting like grownups and doing our job. This is not a criticism of the U.S. Senate—so far, so good.

And listen, even though it is 48 hours, we have a long way to go. We have a lot of negotiating to do, and we have a lot of bumps in the road. As I like to say, it will get worse before it gets better. So I am not suggesting that we are done here, but I am suggesting that we are behaving like grownups.

For the people of Maui and those in so many other communities across the country that have had the misfortune of being struck by disasters, this bill provides funding that will allow recovery work to continue uninterrupted. The ongoing recovery effort on Maui alone will require enormous Federal resources, in addition to what is needed in dozens of other States that have been slammed by hurricanes, floods, and other extreme weather. And while this funding by itself won't ever be enough to cover everything in each one of these communities, it is an important downpayment.

Whatever our disagreements or our personal politics, we can all agree: No one wins in a shutdown. We have lived through this before and know how this ends.

There is an alternative. We can continue what we started earlier this week and just did right now on the floor—pass this bill with bipartisan support and keep the government open.

Let's get it done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. WELCH. Mr. President, I want to join my colleague from Hawaii, Senator SCHATZ, whose reasons for avoiding a shutdown are points that we all share, as his State also has suffered a devastating fire now in Maui, where we in Vermont have suffered a major flood this summer and need FEMA aid.

There are a couple of things I just want to say. No. 1, I want to express my gratitude to my colleagues in the Senate who have come together—Leader SCHUMER and Leader MCCONNELL—in bipartisanship, where we have a way of passing a bill to keep the lights on, to keep government functioning. No good comes out of a shutdown, to quote Senator MCCONNELL.

Like Senator SCHATZ, I have been through it before. And as Senator SCHATZ has said, when you ask the folks who literally explicitly favor a shutdown, ''What is next?'' they don't have any answer and don't seem to think they need to have an answer.

And we do. The consequences of a shutdown are really devastating in large ways and in small ways. A shutdown means our men and women in uniform don't get paid. Seriously? We are going to condone asking people who are protecting the safety of this Nation to do it without pay? That is what shutdown advocates are saying. It is no big deal to them.

And on some small things, I got a letter from a Vermonter whose heart has been set on taking his family to a hike in the Grand Canyon. I don't know if any of you have ever done that hike. You have to go on the website. It is almost like a lottery. You have to get a permit to hike. He got a permit to hike and camp for 2 nights for his family. That is, I think, October 5 and October 6. If we are shut down, that family hike is not going to happen. Well, do you know what? That is cruel. It is such a wonderful thing that our families can enjoy the Grand Canyon. They won't be able to do it.

But I want to talk specifically about what happens to Vermonters, and this is a situation that Senator SCHATZ and Senator HIRONO share with Hawaii. We got hammered in this flood. FEMA has done a tremendous job. The FEMA fund needs to be replenished because, as a result of the low amount of money in the FEMA fund, they have had to cut back on their efforts of recovery that have already been promised.

Just yesterday, the Washington Post reported that FEMA is delaying $2.8 billion in disaster aid to keep from running out of funds. They have to have some money available if there is another event that requires immediate response to save lives. We understand that. That is the right decision for them. But it has real consequences for us in Vermont.

Repayment of these long-term recovery projects that are being halted are not from last month. They are from last year. Just think of what that means for my State of Vermont, which is in the throes of recovery now. FEMA's transition to ''immediate needs'' funding has paused 13 projects in Vermont, totaling about $7.5 million. As of September 15, Vermont has incurred $291 million in flood-related infrastructure damages, and we need over $160 million from FEMA and $131 million from the Department of Transportation. On top of that, the State has estimated that it has incurred $225 million in damages related to FEMA public assistance activities, $75 million for FEMA public assistance hazard mitigation for 406 mitigation activities, $48 million for the Severely Damaged or Destroyed Residential Property Mitigation or Buyout Program, $20 million in damages related to FEMA individual assistance activities, and $11 million for the Minor Residential Damage Repair Program.

Again, it was so reassuring to me that Republican colleagues approached me and said: PETER, we are going to be there to help you because we know, but for the grace of God, it could have been in my State. Thank you, colleagues.

But there is a small group in the House that has this notion that it is no big deal if we literally shut down government.

Well, it is a big deal for those folks in Vermont who need FEMA relief. It is a big deal for those men and women who serve in the U.S. military services when they won't get paid. And it is a big deal to that family that wants to have this dreamed-about hike in the Grand Canyon and won't be able to do that if, in fact, we are shut down on October 5 and October 6.

So, thank you to my colleagues. I believe we are going to pass the bipartisan bill. Bipartisanship is the only way you can avert a shutdown and for us to have an opportunity to negotiate other issues down the road. And I thank my colleagues for their assistance in our effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

PHARMACY BENEFIT MANAGERS

Mr. GRASSLEY. Mr. President, I have come to discuss with my colleagues the plight of our local pharmacists, which is always difficult, particularly in small towns; but it is going to be particularly difficult come January 1 and through next year. I have heard firsthand from rural pharmacists about the looming cashflow challenges that they face next year. These challenges are a direct result of the powerful pharmacy benefit managers and the managers' behavior in response to Federal regulations.

This is the situation. You see, pharmacies are going to face direct and indirect remuneration clawback fees, or what we call DIRs, from the PBMs for calendar year 2023, just after January 1, 2024. At the same time, pharmacies will also be facing lower post point of sale reimbursement from PBMs beginning that same date of January 1 of next year. So it is a double whammy against cashflow problems of small rural pharmacies.

For over a decade, these powerful PBMs have gouged rural pharmacies by clawing back part of the reimbursements many months after the sale. It is almost like you sign a contract the first of the year that you are doing business with the PBMs. Then, at the end of the year, you get a dun to pay back sometimes thousands of dollars, and I have even heard examples of tens of thousands of dollars.

You see, this situation comes because three very large PBMs control nearly 80 percent of the prescription drug market. Some of them are vertically integrated, also, with chain pharmacies, insurance companies, and other parts of the prescription drug supply chains. So PBMs have a lot of power over what the prescription drug patients can access through the formulary and how much these drugs are going to cost the patient and then the reimbursement for the pharmacy. In other words, what is the pharmacy getting paid for doing this service?

I want to end all direct and indirect reimbursement fees. I attempted to do this in legislation, which never passed the Senate, in a bipartisan bill by GRASSLEY and WYDEN called the Prescription Drug Pricing Reduction Act. Even though the legislation didn't pass, we, luckily, in 2021, had the Centers for Medicare and Medicaid Services determine that that Agency had

the authority to end most but not all direct and indirect reimbursement fees.

I support CMS's actions they have already taken, but we still need to take legislative action to end all DIR fees. CMS's regulations will go into effect this January. With CMS's regulations nearing the effective date to end most DIR fees, you would think rural pharmacies would be about to see some relief. Sadly, this is not the case. These changes have turned into a cashflow issue for many rural pharmacies, forcing many rural pharmacists to consider closing or going without pay for a while so that they can keep their staffs around and keep the lights on.

Now let's get to a suggested solution for this issue.

PBMs should work with rural pharmacists to make sure that they don't close, because if you are paying everything back to the PBMs or you are getting less reimbursement and you are running your accounts from day to day, it brings financial problems particularly to these small rural pharmacies. Of course, PBMs are so financially strong that they have the ability to help these small pharmacists after the first of the year. We aren't asking them to help forever; we are asking them just to help through this interim period of clawback and less reimbursement. So what I am asking here of PBMs is PBMs should work with pharmacies to give a little extra time to pay back the 2023 direct and indirect reimbursement fees. I am not asking the PBMs to give up a single dollar that they are entitled to.

Because CMS can help us solve this problem, in their final regulation, the Agency spoke to concerns about rural pharmacy cashflow issues, saying that they were—their words—''particularly attuned'' to this issue.

CMS said that, through law, they have the power to conduct oversight. They said that they could enforce, first of all, provider network access standards and, second, prompt payment rules.

In July, I wrote to the CMS Administrator to see what the Agency is doing to conduct this oversight and, in turn, help small pharmacies through 2024—and, of course, only that 1 year—with their cashflow problems.

As of mid-September, I had not received a response from CMS. I will soon tell you about a telephone conversation I had with them. It shouldn't take an Agency almost 2 months to respond to me about a problem that they said that they are ''particularly attuned'' to. Remember, I told you previously those words—''particularly attuned'' to—are their words.

So last week I spoke for a long time on the phone with the CMS Administrator. I asked what her Agency is doing to conduct oversight and protect our constituents' access to their rural pharmacy and particularly our older seniors who can't travel for miles to get their drugs. I asked that question because, so far, I have not seen any action of oversight by this Agency.

The Administrator committed in the phone call to monitoring compliance to pharmacy access standards and the prompt payment requirements, but, at the same time, the Administrator didn't offer any specific action that she has taken or even what action she might take.

The Administrator also committed to looking into what the Agency can do to encourage payment plans between rural pharmacies and PBMs or, at the very least, bring rural pharmacies and PBMs together to work out a joint effort. I am going to be holding the CMS accountable for following through on that promise.

Iowa's seniors and rural pharmacies are counting on the Centers for Medicare and Medicaid Services. The Agency can't sit on the sidelines and let rural pharmacies go out of business.

I told this directly to the CMS Administrator, and I will state it now to the same CMS Administrator: Please use your authority and bully pulpit to protect seniors' access to their rural pharmacies. These very powerful PBMs, which receive a lot of public funding from Medicare and Medicaid Programs, can also put many rural pharmacies out of business if you just stand down. PBMs can't put the blame on others. They must and ought to work with rural pharmacies. Don't drive them out of business by idly standing by. PBMs have the opportunity to protect seniors' access to their local pharmacy.

It is kind of this situation in rural America because I see it all the time in rural Iowa—losing local health delivery professionals. It happens that your local pharmacy is oftentimes the only healthcare provider that you have. So, obviously, and what I am telling my colleagues today is, we need them in our communities,

I say to my colleagues—because everybody in the U.S. Senate has rural communities—I hope you will check into this situation affecting small pharmacies, starting January 1, 2024. We have got about 3 months to get CMS, rural pharmacies, and PBMs together to smooth out this cashflow problem that rural pharmacies are going to have through next year.

I am not going to stop fighting to protect rural pharmacies.

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

The PRESIDING OFFICER. Without objection, so ordered.

BORDER SECURITY

Mr. MORAN. Mr. President, I rise this afternoon to have a conversation with my colleagues and with my constituents to talk about an issue that is important to our Nation here in the Nation's Capital for the well-being of our country but, certainly, an issue Kansans care greatly about, and that is our crisis on our southern border, in particular, but border security across and around the country.

The administration's continued failure to control the border has created not just a humanitarian crisis but also a national security crisis as well.

It is no secret that the lack of operational control of the border has led to the apprehension of Chinese nationals, individuals with ties to ISIS, and others who wish to do this country harm, serious harm.

Perhaps the biggest failure of the nonchalant approach of this administration to the border is the rampant flow of harmful drugs into the United States. Deadly drugs, such as methamphetamines, heroin, cocaine, and most critically in today's world, fentanyl—fentanyl being freely carried into this country and distributed to the cities, towns, and neighborhoods. It is a real detriment to our children and the most vulnerable. Those drugs are distributed to cities in Kansas and causing the death and misery of many Kansans and Americans today.

A bright spot in this effort to combat fentanyl and other drugs is the Drug Enforcement Agency. This morning, I was at their headquarters to celebrate with them the DEA's 50th anniversary.

I am the ranking member of the Commerce, Justice, Science, and Related Agencies Appropriations Subcommittee; therefore, Senator SHAHEEN and I are responsible, generally, for the appropriations of the Drug Enforcement Agency. I have seen firsthand the critical results achieved by the DEA and their personnel in this fight.

DEA agents, investigators, analysts, chemists, attorneys, and support staff have provided invaluable services to the public since the creation of the DEA 50 years ago in 1973.

The DEA has faced increasingly well-equipped, well-financed, and well-resourced international drug trafficking organizations pushing more complex drugs: synthetic opioids which mimic controlled substances, including fentanyl.

I would like to commend the DEA for their work. I would like to recognize their 50th anniversary in that process by thanking those in the DEA today. We need to be reminded of the number who have been wounded and injured in the line of duty, including 79 individuals who have received a DEA Purple Heart.

This administration, this Congress, this Senate—we owe it to the dedicated individuals at DEA and to the lives and family members of those who lost loved ones to put forth the effort required to create a whole-of-government approach to securing the border to cut off the pipeline of drugs into this country.

In 2022 alone, there were around 110,000—let me say that correctly—there were around 110,000 overdose deaths. That is a little over 300 deaths

a day. Around 70,000 of these deaths were attributed to synthetic opioids and fentanyl, including 1,200 individual Kansans.

Mr. President, I find this next fact staggering. So far this year, the DEA has confiscated more than 62,400,000 pills, and it estimates that 70 percent of those pills contain a lethal dose of fentanyl—70 percent of 62 million. This puts at risk the lives of 43 million Americans.

We know that Mexican drug cartels control much of the fentanyl market, and in the United States, the amount of fentanyl available has allowed the market price to drop to as low as 50 cents a pill.

Further, we also know that many of the precursor chemicals for these synthetic drugs originate in China. These chemicals are extremely difficult to interdict. They are used in everyday items such as cheese and soap. They can be easily hidden in shipping containers.

This is a full-blown national security crisis, and it is time the administration reacts to treat it like what it is—a national security crisis, a humanitarian crisis, and loss of lives of American citizens.

I was in Mexico with several of my colleagues earlier this year, and I discussed this issue with President Lopez Obrador. I urged him to take this issue up with Chinese officials, and I do believe that we have a willing partner, in this instance, in Mexico to combat this problem.

The fiscal year 2024 CJS bill that has just been passed from the Senate Committee on Appropriations is our effort with Senator SHAHEEN, and it recognizes the challenges the DEA faces, including $66 million of additional funds over the fiscal year 2023 level.

I know we are talking about fiscal responsibility today. That comes at a time in which our appropriation bill is reduced from last year by $1.3 billion. So I would indicate to my Kansans that I share their concern about the levels of spending and the balancing of our books.

In the bill that I am most responsible for in the appropriations process, we have reduced spending this year from last year $1.3 billion. But within the amount of money that we can spend, we prioritized the fight against drugs. The Fiscal Responsibility Act has made our work more difficult but moves us more closely toward balancing the budget, and it shows that we can work together in this case in support of combating the fentanyl—and other drugs—crisis in our country in a bipartisan manner.

While law enforcement efforts to combat fentanyl trafficking are bipartisan, we have not yet had bipartisan support to seriously close the border to drug traffickers. There are a lot of challenges we face. It also is important to recognize that we need less demand in the United States, and Americans are buying the drugs that come here. We need to make certain that we do the things that are necessary to make certain Americans certainly know the consequences of drug use and the consequences to them, their families, their loved ones, and even to our Nation.

While law enforcement efforts to combat fentanyl trafficking are bipartisan, we have a lot more work to do when it comes to the U.S. border with Mexico and our other borders. For all the work the DEA does to disrupt drug trafficking and distribution networks, the border is by far the single most important line of defense.

We are debating whether or not to proceed on a continuing resolution to continue funding the Federal Government. I oppose a shutdown of government, in part because a shutdown would make the crisis that we face at our border even worse. Our DEA and Border Patrol agents are already starved for resources, and many cannot afford to miss a paycheck while continuing to put their lives on the line to secure the border.

This body must take seriously the crisis we face, and while funding the government is important in this battle, we also have a lot more that we can do. We need to make certain that the appropriations bills that I just talked about, the 12 appropriations bills that have been reported by the Senate committee, work their way across this Senate floor, recognizing that the continuing resolution is only a pause. While government continues to function, we continue to work.

I look forward to every opportunity to see that we do more at the border, that we put Americans on notice about the importance of avoiding drug abuse and drug use in this country, and that our national security is at risk. I look forward to that conversation, but more importantly, I look forward to the results.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Louisiana.

UNANIMOUS CONSENT REQUEST—S. 2968

Mr. KENNEDY. Mr. President, I am back again to try to keep the National Flood Insurance Program from expiring.

I will be the first to concede that America needs a national flood insurance program that looks like we designed it on purpose. What we have now does not look like that. To call it imperfect is an understatement. But the only thing worse than having what we have right now is to not have a national flood insurance program at all.

The fact of the matter is, for all practical purposes, people who are at risk for flooding cannot buy flood insurance from the private markets, which means they can't buy a home, which means their mortgages would be foreclosed upon. That is why we have a National Flood Insurance Program.

Should we improve it? Yes. I have been trying for 7 years. We need to keep trying. But we are not going to get it done over the next couple of days.

I believe government is going to shut down tomorrow—or at least Saturday, rather. I hope not, but I believe it is. And if it does, the National Flood Insurance Program will be shut down.

I don't want to scare people half to death. It doesn't mean that FEMA will stop—which runs the NFIP—will stop paying claims, but it will stop commerce, if nothing else, because FEMA can't issue new policies. And, again, I realize it is not perfect. But we are in hurricane season.

Let me say that again. We are in hurricane season.

Is this important to my State? You bet. But it is not just important to my State; it is important to every single coastal State. And that is why I would like to see us extend this program for a very, very short period of time.

My bill is a clean extension. It doesn't make any changes to the program. I wish I had the authority to make changes, but I don't. This bill will just extend what we have now, imperfect as it may be—and Lord knows it is imperfect—through December 31, 2023. That will give us some additional time to design a program that looks like somebody designed it on purpose.

Mr. President, for that reason, I ask unanimous consent—did I mention, Mr. President, that my State is in the middle of hurricane season?

Let me say that again—and so is every coastal State. And we are going to shut down the National Flood Insurance Program in the middle of hurricane season, the U.S. Senate? What planet did we just parachute in from?

For that reason, Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of my bill, S. 2968, which is at the desk; I further ask that the bill be considered read a third time and passed—and passed—and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Mr. President, reserving the right to object. We can today renew the National Flood Program and reform it. All it takes is for the Senators assembled here not to object to the reforms.

I think that flood insurance provided by the taxpayer, subsidized by the taxpayer, shouldn't be for rich people or for their vacation home or their beach homes. Government has no business insuring rich people and their second homes. So I have some proposals to reform this system. We are being asked, though, to extend the flood program without any reforms, without any reforms to protect the taxpayers. Like many Federal programs, the flood insurance is well-intentioned, but it very well may be the best real-life example of a moral hazard.

The program covers over 5 million policyholders and provides over $1 trillion in coverage. We are told that the program is funded through insurance

premiums. But charging well below the market price of insurance and capping how much these rates can rise inevitably leads to shortfalls.

A 2014 report by the Government Accountability Office found that the flood program collected as much as $17 billion fewer in premiums than what the market would have dictated. So when the program inevitably found itself in need of money, in theory, it borrowed that money from the taxpayers, not that the taxpayers had any choice in the matter. They took it. As they often are, they were on the hook regardless of whether they wanted to be or not.

Just a few years ago, the flood program owed over $30 billion to the taxpayers. Congress later canceled $16 billion in debt, but the flood program has not made any further repayment to the taxpayers and now stands at over $20 billion in debt.

In short, it is a subsidy. It is a gift. It is the taxpayers giving people who have homes along the coast subsidized rates, and we all have to pay for it.

You might say: Well, maybe some poor people have no place to go; the government has a role in that, but a lot of these homes are people's second homes.

I say we should limit the insurance to houses under a certain amount, modest homes. Some guy has a $5 million mansion on the coast of Florida should not get his insurance through the government. We shouldn't all have to pay for the insurance for some somebody who has a $5 million home.

The taxpayers are expected to cough up money whenever the program needs it, but the program doesn't seem to be in a hurry to pay the taxpayer back. But perhaps the greatest insult to the taxpayer is the lack of true limits on the delinquent program. There are no limits on how many claims that can be filed and how much money can be received by a policyholder. Rather than encourage people to leave flood-prone areas, it encourages people to stay and rebuild.

And, in thousands of instances, the program encourages people to rebuild and rebuild and rebuild. According to the PEW Charitable Trusts, over 150,000 properties have been rebuilt over and over again. In fact, 25 to 30 percent of flood program claims are made by policyholders whose properties flood time and again.

There is no learning curve here. The government provides you something for a subsidy and you got your beach home and it keeps getting flooded and you just keep building if the government will pay for it. Have Uncle Sam pay for it. Have your neighbors pay for it.

Over 2,000 properties have flooded more than 10 times. They don't move; they just keep rebuilding in an area that is a flood zone.

One home in Batchelor, LA, flooded 40 times and received a total of $428,000 in flood payments. It would have been cheaper to buy him a new home in a neighborhood that doesn't flood.

Can you imagine having to withstand the ordeal of your home flooding 10, 20, 40 times? Well, the taxpayer doesn't have to imagine paying for it because they are stuck with the bill.

Adding insult to injury, the Congressional Budget Office found that the flood program tends to benefit the wealthy and that 23 percent of subsidized coastal properties were not even the policy owner's first house. We are talking about vacation houses that average, ordinary people who are suffering to go to the grocery store are having to pay for the insurance for some guy's vacation home.

Yes, it is true. The government forces the taxpayer to rebuild the summer homes of the rich. In fact, sometimes it seems that the flood program caters directly to the wealthy. Nearly 80 percent of these flood policies are located in counties that rank with the top 20 percent of income.

Enough is enough. It is an insult to rob from the taxpayer to give to the wealthy. That is why I offer an amendment that would require the flood program to cover only primary residences, no vacation houses, and establish a cap so that only modestly priced houses would be in it.

I agree that there is a disruption. If it ends immediately, there would be a disruption. We can have an interim.

My offer today, if accepted, if not objected to, would be: Today we fix this. We can stand right here today and fix this if there is no objection. We would continue the program only for primary residences, only under a certain amount, and it would continue. We would finally reform it. A long-awaited reform that people wanted for years could happen today if there is no objection.

So, therefore, I ask the Senator to modify his request so that the Paul amendment at the desk be considered and 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. Does the Senator from Louisiana so modify his request?

Mr. KENNEDY. Reserving the right to object, Mr. President. Maybe the homes that my good friend Senator PAUL is describing are homes in Kentucky, but they are not homes in Louisiana. The homes in Louisiana that need flood insurance are not mansions. These are homes of working people. These are modest homes being paid for by people who get up every day, go to work, obey the law, pay their taxes, and try to do the right thing by their kids.

I don't know about the millionaires that Senator PAUL is talking about. Again, maybe they are in Kentucky. But they are not in Louisiana. My coast is a working coast.

Point 2: What Senator PAUL proposes is to limit flood insurance to $250,000.

The median sales price of a home in America today is $430,300. Now, there are a lot of reasons for that. One of the reasons for that is President Biden's inflation. But those are the facts. In Louisville, KY, the median sales price is $271,000. In Dallas, TX, it is $389,000. In Miami, it is $605,000.

Why do you want to fool the American people? Why do you want to ''reform'' a flood insurance program that is going to deny flood insurance?

Do some people own second homes? Yes. I thought Republicans weren't supposed to penalize success in America. I thought our position was that if you worked hard and accumulated wealth, first, you should get to keep most of it. Why? Because you earned it. And second, we should applaud success in America. If you earn enough to buy a second home, we shouldn't discourage that. The third reason I cannot agree to my friend Senator PAUL's suggestion is because he knows as well as I do that many of us have worked together to try to reform the Flood Insurance Program. We haven't reached consensus yet. We are going to keep working. But if I agree to Senator PAUL's suggestion today, both he and I will be selling out our colleagues who would not agree to these changes, and they are not here right now.

The easy thing for me to do is to accept the Senator's proposal, but I don't play that way. I am not going to do it without giving every Member of this Senate who would like input into Senator PAUL's suggestions the chance to object as well. I don't play that way.

For that reason, I object.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the original request?

Mr. PAUL. Reserving the right to object, the statistics really do tell the story. Twenty-three percent of all homes that are insured under this program, whether they are in Louisiana or any other coastal State, are second homes or vacation homes.

I would be perfectly willing to negotiate what the actual price of the home is that can be in this situation, and I would offer to modify the amendment from $250,000 to $350,000 to allow more homes to be in. But saying the median is $433,000—well, the limit right now is infinite. There is no limit. You can have a $5 million vacation home, and the government is going to subsidize it.

If we don't subsidize these houses, does that mean we are discouraging people who have wealth or have second homes? No. This has nothing to do with that. It is saying the taxpayer shouldn't subsidize rich people.

The thing is, the reform will be objected to today, and there will not be any reform to this program, and these programs go on year after year because no one will bring to light what is actually happening here.

If you were to ask the American people today ''Do you think we should be subsidizing flood insurance for people's beach house,'' I think they would say ''No. Buy your own damn insurance if

you have a beach house. The government shouldn't be paying for it.'' So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I appreciate my colleague Senator PAUL and his comments. I, like him, would like to continue to work with our colleagues to reform this program. But when reality calls, you shouldn't hang up, and that is what we have done here today, because this government is going to shut down. I hope I am wrong—God, I hope I am wrong—but I think this government is going to shut down midnight Sunday night, and the National Flood Insurance Program is going to shut down with it, right smack dab in the middle of hurricane season.

I thought the first role of government—I thought this is what Republicans believe; I thought this is what Libertarians believe—the first role of government is to protect people and property. And all the U.S. Senate has done today is expose ordinary Americans—not millionaires; ordinary Americans—who live in modest homes, who get up every day—I am going to say it again—and go to work and obey the law and pay their taxes and try to do the right thing by their kids and whose home is their biggest asset. We are going to tell them: It is OK. Even though you can't buy the flood insurance from a private provider, the government is going to stop you from buying it from the National Flood Insurance Program right in the middle of hurricane season.

That is not what this country is all about.

All my bill would have done—and I will be back. Just like the Terminator, I will be back. All my bill would do would be to take the current program—the current program, I will concede—I agree with Senator PAUL—the current program looks like somebody knocked over a urine sample. It is that bad. But we need to work to improve it. But in the meantime, we do not need to allow it to expire.

I yield the floor.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE UNITED STATES FISH AND WILDLIFE SERVICE RELATING TO ''ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LESSER PRAIRIE-CHICKEN; THREATENED STATUS WITH SECTION 4(d) RULE FOR THE NORTHERN DISTINCT POPULATION SEGMENT AND ENDANGERED STATUS FOR THE SOUTHERN DISTINCT POPULATION SEGMENT''—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the veto message with respect to S.J. Res. 9, which the clerk will report.

The senior assistant legislative clerk read as follows:

Veto message, a joint resolution (S.J. Res. 9) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to ''Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status With Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Status for the Southern Distinct Population Segment''.

The PRESIDING OFFICER. There will now be 20 minutes of debate equally divided between the two leaders or their designees.

The Senator from Kansas.

Mr. MARSHALL. Mr. President, today, I rise in support of the passage of S.J. Res. 9, providing for congressional disapproval of the U.S. Fish and Wildlife Service's rule regarding the lesser prairie-chicken under the Congressional Review Act over the objections of President Biden.

This week, the White House continued their war on American agriculture with its latest veto on our bipartisan lesser prairie-chicken resolution, S.J. Res. 9.

The White House has shown time and time again how truly out of touch they are with grassroots farmers and ranchers and their commitment to the environment.

Recently, the White House made the bold claim that the prairie-chicken population serves as an indicator for healthy grasslands and prairies.

To start with, I want to personally invite the U.S. Fish and Wildlife folks to the great plains of Kansas to see firsthand the many conservation efforts of our local landowners. The comment from the White House suggests that the prairies of Kansas are unhealthy, that our ranchers are the problem and not the solution. It seems obvious that once again the Agencies know little to nothing about the blood, sweat, and tears and the pride our landowners pour into their land to make sure it is cleaner, safer, and healthier for future generations.

Furthermore, the White House suggests our efforts in Congress to delist the bird ''create uncertainty for landowners and industries who have been working for years to forge the durable, locally-led conservation strategies.''

Mr. President, all of the industries impacted by this listing, who are supporters of our resolution, would strongly disagree with your statement.

However, the White House is right on one thing—it is right on the count. For over 20 years, Federal, State, and private landowners have voluntarily collaborated with the Fish and Wildlife Service to conserve the lesser prairie-chicken and its habitat. These partnerships have already resulted in conservation agreements covering roughly 15 million acres of potential habitat for the species. In fact, these efforts have been so successful that the lesser prairie-chicken species is now considered stable in Kansas.

On the other hand—make no mistake about it—this veto creates uncertainty. I have to ask the White House: What message does listing the bird now, after all the good conservation work, send to those of us who have successfully labored to improve the lands handed to us from previous generations? I will tell you the message it sends: that the hammer will still fall regardless of these successful efforts, and the government will step in and regulate our industry out of existence despite successful conservation efforts.

The Federal Government thinks it knows best when it comes to conservation. I rise to say that this assumption is wrong. Despite billions of dollars spent in the name of the Endangered Species Act, the law continues to fail at its underlying mission of recovering and delisting species. Less than 2 percent of all listed species have been removed from ESA protection since 1973.

It is clear the ESA is merely another tool weaponized by this administration to attack those of us in rural America. This is unsurprising coming from a White House that vetoed the bipartisan resolution striking down the waters of the U.S. rule.

Through a combination of public and private efforts, the lesser prairie-chicken is now better protected than at any previous time. A listing as ''threatened'' or ''endangered'' will not provide any additional conservation benefits above what already exist.

While the numbers of the lesser prairie-chicken tend to follow rainfall, numbers range-wide have been growing since the Obama administration attempted to list the bird in 2014.

No one in this body wants to see this bird go extinct. No oil producer, rancher, farmer, wind energy producer—none of us wants the demise of the prairie-chicken. That is why voluntary partnerships have worked. A listing now will only push oil and gas developments to countries that have long track records of violating human rights or extract these important energy sources in a manner which is more harmful to the environment than American producers.

Whether it is gas, diesel, wind, or solar energy, a listing now will only increase the cost of energy for Kansans. A listing now will federalize millions of acres of ranchland, increasing the regulatory burden for our farmers and ranchers, ultimately increasing the cost of food. I ask you, for what purpose? An attempt to protect a species by an Agency which has only successfully recovered 2 percent of species it has listed.

I know and believe in the local communities that have and will continue to do what is best for the land, which is what will be best for the lesser prairie-chicken.

This administration continues to ignore the impact that overregulation

has on American industries. This administration's costs of rules and regulations already outpace the last two administrations combined. From January 21, 2021, through August 4 of this year, final rules from the current administration imposed roughly $400 billion in total costs, with more than 232 million hours of annual paperwork.

In summary, our resolution is one of the many important steps the Senate GOP has taken to unburden the economy from the bureaucratic harassment being employed by the Biden administration.

I again urge you to join me in applauding rather than punishing good, voluntary conservation efforts and support the joint resolution for congressional disapproval of the lesser prairie-chicken listing over the objections of the President.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. I yield back all time on our side.

VOTE ON VETO MESSAGE

The PRESIDING OFFICER. Hearing no further debate, under the previous order, the question is, Shall the joint resolution (S.J. Res. 9) pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required under the Constitution.

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

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Ms. SMITH), and the Senator from Mississippi (Ms. STABENOW) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisianna (Mr. CASSIDY), the Senator from Utah (Mr. ROMNEY), and the Senator from South Carolina (Mr. SCOTT).

The result was announced—yeas 47, nays 46, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—47

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

NAYS—46

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

NOT VOTING—7

Brown	Romney	Stabenow
Cassidy	Scott (SC)	
Feinstein	Smith	

The PRESIDING OFFICER (Mr. BOOKER). On this vote, the yeas are 47, the nays are 46.

Two-thirds of the Senators being duly chosen and sworn not having voted in the affirmative, the joint resolution on reconsideration fails to pass over the President's veto.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE UNITED STATES FISH AND WILDLIFE SERVICE RELATING TO ''ENDANGERED AND THREATENED WILDLIFE AND PLANTS; ENDANGERED SPECIES STATUS FOR NORTHERN LONG-EARED BAT''—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the veto message with respect to S.J. Res. 24, which the clerk will report.

The legislative clerk read as follows:

Veto message, a joint resolution (S.J. Res. 24) to provide for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to ''Endangered and Threatened Wildlife and Plants; Endangered Species Status for Northern Long-Eared Bat''.

The PRESIDING OFFICER. Under the previous order, the question is, Shall the joint resolution (S.J. Res. 24) pass, the objections of the President to the contrary notwithstanding?

The yeas and nays are required under the Constitution.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Ms. SMITH), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from Utah (Mr. ROMNEY), the Senator from South Carolina (Mr. SCOTT), and the Senator from Ohio (Mr. VANCE).

Further, if present and voting: the Senator from Ohio (Mr. VANCE) would have voted ''yea.''

The yeas and nays resulted—yeas 47, nays 45, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—47

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

NAYS—45

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Cantwell	Kelly	Schumer
Cardin	King	Shaheen
Carper	Luján	Sinema
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Fetterman	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden

NOT VOTING—8

Brown	Romney	Stabenow
Cassidy	Scott (SC)	Vance
Feinstein	Smith	

The PRESIDING OFFICER (Mr. FETTERMAN). On this vote, the yeas are 47, the nays are 45.

Two-thirds of the Senators being duly chosen and sworn not having voted in the affirmative, the joint resolution on reconsideration fails to pass over the President's veto.

The Senator from Delaware.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations en bloc: Calendar Nos. 300 and 324; 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; 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 following nominations en bloc: Robert G. Taub, of New York, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2028 (Reappointment); and Thomas G. Day, of Virginia, to be a Commissioner of the Postal Regulatory Commission for a term expiring October 14, 2028?

The nominations were confirmed en bloc.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 2972

Mr. LEE. Mr. President, when the government shuts its doors, public attention often falls on our national parks. This should be surprising to no one. Year after year, whenever anyone does a survey, they discover the most popular and least popular parks of the Federal government. The answers tend to be the same.

As I recall, the least popular parks often focus on the IRS, for understandable reasons. For similarly understandable reasons, the most popular parks involve our National Park System. When the government shuts down, a lot of attention turns to them, as it should. The stark ''closed'' sign that barricades the entrance to our cherished parks is more than just a sign of circumstances where it arises during a shutdown. It is a palpable consequence of a government bereft of funds and a dysfunctional process in Congress that leads to that moment.

This issue is close to the hearts of a lot of people in a lot of parts of the country, but it is especially close to the hearts of people in my home State of Utah. Every State in this great Union, especially every State that is fortunate enough to be home to one or more of our Nation's national parks, has to deal with some of these issues in one way another.

To be clear, I abhor the notion of government shutdowns. They are neither my wish nor my aspiration. However, as the close of fiscal year 2023 approaches, a government shutdown looms very large on our horizon.

Utah, like many States, finds its identity intertwined with its magnificent landscapes and national parks. Zion, Bryce Canyon, Arches, Canyonlands, Capitol Reef—these are not just names on a map; they are proud symbols of our State, and local communities in many parts of Utah depend on them and depend on the traffic that comes in and out of those national parks. Visiting these parks isn't just about tourism; it is about livelihoods, our families, and our economic lifeblood.

The grim reality is that our communities will bear the brunt if these parks, in fact, close their gates due to a shutdown with no means to recuperate the loss. With 2 days left, my frustration mounts knowing the Department of the Interior has not updated its shutdown contingency plan for national parks since 2017. How can the Biden administration expect our communities to prepare without a blueprint for such eventualities?

In my recent communication with Secretary Haaland, I emphasized that numerous tools lie at her disposal to keep our parks functioning even during a shutdown. Using the Federal Lands Recreation Enhancement Act, or FLREA, as it is known, to harness non-appropriated fee revenues for essential park operations is a clear path and one that should be pursued here. After all, these very same funds ensure many parks remained open during the December 2018 to January 2019 shutdown. The Department of the Interior should also designate as ''essential'' as many park and land management employees as possible.

Yet it seems Interior would, instead, echo past mistakes, like those made in 2013 under the Obama administration, bending to radical environmental pressures and closing our parks under the pretense of ''resource conservation.''

This is not just unfortunate; it is inexcusable. In fact, it is deplorable, and it is completely avoidable. Because of such actions, several States, including Utah, were forced to dig into their own pockets to ensure their parks remained open in 2013, but when the shutdown concluded, there was no repayment. States like Utah, New York, Tennessee, South Dakota, Colorado, and Arizona were left holding the bill.

Utah alone spent $1.6 million to keep our parks operational for just about a week. Now, look, $1.6 million might seem like a drop in the bucket in the vast sea of overall Federal spending, but for States like Utah with a lot less money running through the State government than runs through our government every single year and where elected officials value prudent financial management to help keep their own citizens in a good position, every single dollar matters.

So this is not something we should foist upon the States.

We know at the outset that people are going to continue to visit national parks. There is no legitimate reason, knowing that they are the single most popular feature of the Federal Government, arbitrarily to decide at the outset that we are going to close those. In many instances, they had to erect barriers to keep people out—sort of the opposite of what you would expect to occur during a shutdown. So let's keep them open.

We know, in any event, that any furloughed staff within the Park Service will be repaid, along with the rest of the government workers, once the shutdown ends. Knowing that, as we do, and knowing that these States and their communities are so dependent, as they are, on revenue related to visitors going to national parks and that those States, being that dependent, are going to cover the tab, the Federal Government shouldn't be in the position of riding on these States' generosity, on their dependence on the national parks, simply by saying: Yes, you know what, we are going to furlough these workers, allow them to shut down, allow the States to run the parks at great expense to those States, and then not pay them back.

No, this is unacceptable.

This is a pretty unique circumstance in which the risk of a free-rider action calls out for precautionary action on our part.

So my bill on this subject is very simple. It just mandates that the Secretary of the Interior must repay States that spend their own funds to maintain national parks in the event of a shutdown. It is about responsibility, accountability, and most importantly, doing what is right.

Our national parks must remain open, not just for the enjoyment of our citizens but for the survival of the communities that are near them and whose economies revolve around them.

To that end, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2972, which is at the desk; further, 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 objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object, I share my colleague's concern about making sure our national parks stay open. In fact, I don't want any Federal facilities to close their doors, any Federal workers to miss a paycheck, or any programs families rely on be undermined by a completely unnecessary shutdown, which is why I am working around the clock to make sure we do pass this bipartisan CR package, which we released yesterday.

So I hope the senior Senator from Utah will reconsider his recent vote against moving forward on that CR and start working with us to get this straightforward CR across the finish line so we can avoid this shutdown and get back to passing our 12 bipartisan appropriations bills because that is the only serious solution here. That is the best way to make sure families are able to keep enjoying our national parks and park rangers and all of our public servants can do the work the American people are counting on and get the paycheck they deserve.

There are a lot of programs that we all care about that will be hurt by a shutdown, so we are not going to solve this problem one by one, carve-out by carve-out. As I said earlier, you don't stop a flood one drop at a time; you build a dam.

We have a straightforward, bipartisan CR package to avoid a shutdown and keep our national parks open. Let's get our jobs done and get that passed.

So I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I am disappointed that we weren't able to get this done today. It is hard for me to conceive of a legitimate reason sounding in public policy why we wouldn't want to make sure that we hold harmless those States bold enough, brave

enough, conscientious enough to protect their own citizenry and accessibility to national parks within their boundaries.

There are a lot of blessings that come from having these mighty five national parks in the State of Utah. I love each and every one of them. I can tell you, there are things about every one that are unique and that I love. We are always told how lucky we are—and we, indeed, are—to have these beautiful features in our State and to have national parks.

It is insulting to the citizens of a State when the Federal Government owns two-thirds of the land mass in our State. Most of that land mass is, of course, not national parkland. Most of it doesn't even look like national parkland. Most of it is not terribly remarkable one way or another. When you add up all that land—and it is 67 percent of the State of Utah—that means we can't tax that land; that means we can't access that land except with a massive ''Mother may I?'' from the Federal Government, which is very often far too difficult to get.

Because we can't collect property taxes on that land because of its Federal ownership, that impoverishes our schools, impairing our ability to fund everything from first responders, search and rescue, ambulance services, schools—you name it, it is hard for us to fund. There are counties in the State of Utah where the Federal Government owns 90-plus percent of the land, which makes it almost impossible for us to operate.

To add to all of this by saying, ''Oh, by the way, during a government shutdown, we are going to shut down the single most popular feature of the Federal Government, the only part the American people really like right now, just because we can, and then we are going to pay our own employees to not work for however many days or weeks the government remains shut down—and, sure, we will let you run all of that, States, if you are concerned about it, if your economy and your people depend on it. But even though we will pay back our own employees, we are not going to pay you back.''

This is wrong, and if this is how they are going to treat us, we need to have a really long, hard, overdue discussion about the question, how much land should the Federal Government own in any particular State?

At the time of statehood, there was an understanding made at least implicitly, if not explicitly, in Utah's Enabling Act consistent with language inserted into the enabling acts of nearly every State added into the Union since the Louisiana Purchase. It was our understanding that we, too, would have this opportunity to have unincorporated Federal land within our State boundaries eventually sold. Most of it would be sold if it were not dedicated to another Federal purpose. With the sale of that land would come a percentage that would flow into a trust fund dedicated for the benefit of the State's public education system.

That language inserted into the enabling legislation of nearly every State added since the Louisiana Purchase has been honored. It was honored throughout the Southeast, throughout the Midwest. But they stopped honoring it when they got to the Rocky Mountains. I am not sure exactly why, but this is exactly the kind of reason why we need to have this discussion.

We are told that we can't tax that land that impoverishes us, that causes all kinds of other problems. They try to offset that through a program called PILT, payment in lieu of taxes. They give the counties, the taxing jurisdictions, pennies on every dollar for what they would otherwise get.

But the lost tax revenue is just the beginning of the problem if we are looking at property taxes. It is not just the lost tax revenue from what they would get for taxing that land at the lowest greenbelt rate; it is the lost economic activity that could and would otherwise apply there if they didn't own so much land.

Look, think about this for a minute. If any private employer, individual, or corporation owned more than—I don't know—5 or 10 percent of the land mass in your State, people would get nervous, and understandably, justifiably so. We understandably fear the excessive accumulation of power, whether it is economic or political, in the hands of a few. Somebody who owns that much of any State's land has the ability to determine that State's destiny.

It gets even worse if that landowner is not a corporation or a nonprofit or an individual or a family but, instead, a sovereign government that declares itself exempt from taxation and disallows the people from doing anything on that land without its permission, growing more penurious by the day in whom they allow onto the land and to do what.

This conversation is long overdue, and it is situations like this where the Senator from Washington tragically was unable, unwilling even to allow these tiny crumbs to drop from the table of the large Federal trough. This is wrong. Her arguments are indefensible, suggesting that somehow anyone who doesn't vote for this continuing resolution, negotiated in secret by exactly two Senators, that she knows darn well can't pass—otherwise, they would be passing it right away. It can't pass because it has deep flaws in it.

For her to blame those few of us who voted against it because of those serious problems and the way it was written and the fact that we are now being told that the leader is filling the tree, which means that we are not going to have any effective opportunity even to amend the bill—this is the same bill that was released to us about 30 minutes before we were called to vote on it, about 80 pages of dense reading material that includes countless cross-references; takes at least, I don't know, 48 hours even with trained staff, who are trained to look through these things, to really understand what is in them.

Shame on all of us if we think this is a legitimate process, and shame on this institution if it thinks it is OK to treat Western States, where most of the land is Federal, this badly.

I will be back.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

BORDER SECURITY

Mr. WICKER. Mr. President, I rise this afternoon to address the crisis on our southern border and to say that we have a good opportunity with the Senate-approved National Defense Authorization Act. It is a remarkable opportunity for this body to strengthen homeland security by increasing border security.

Bad actors continue to exploit our porous southern border and to funnel criminals, fentanyl, and even suspected terrorists into our country.

Just this week, Customs and Border Patrol released staggering figures. In this fiscal year, Border Patrol has handled nearly 3 million border encounters—nearly 3 million border encounters.

Of urgent concern is the fact that more and more of those who cross our borders are terror threats. In this fiscal year, 160 migrants were found to be on the terror watch list, up from 100 in 2022. A smuggler with ties to ISIS shepherded a dozen migrants from Uzbekistan across the border. This alarming incident raises questions about terrorists gaining access to our country. It also highlights the increasing number of asylum seekers from Central Asia.

The situation is clearly out of control.

The Senate Armed Services Committee has received testimony suggesting that our adversaries see our broken border as a strategic advantage. Russia certainly does. The former Northern Command chief reports that there are more Kremlin agents in Mexico than in any other country. They are there because of the open border policies of this administration. The Chinese Communist Party is also aware of this vulnerability, constantly looking the other way as Chinese criminal elements sell fentanyl components to cartels, helping fuel our national drug crisis.

President Biden refuses to act, but Congress will. The good news is that we have already taken steps to do so. This summer, the Senate passed our version of the NDAA. We did so on an overwhelmingly bipartisan basis. In my role as the ranking member of the Senate Armed Services Committee, I led my colleagues as we crafted a defense bill that aligns with our current national defense needs.

The bill supports our troops and enhances our warfighting capabilities. The bill also recognizes the border crisis as the national security challenge it

is, and I note that more and more people in the mainstream media on network news on television—not just the cable shows—our newscasters are calling this what it is, a border crisis.

In an impressive display of bipartisanship earlier this year, we passed our legislation with an overwhelming margin of 86 to 11. This sweeping endorsement puts the Senate in a strong negotiating position as the House and Senate reconcile the two Defense bills in conference. I certainly hope we can do that and get that to the President soon.

As we move through the conference process, we must retain the border provisions we fought so hard to include. One such measure is the FINISH IT Act. When we say ''finish it,'' I mean the border wall. The legislation which I authored and which is in the bill would continue construction of the border wall.

The previous administration purchased high-quality steel wall panels, but when President Biden took office, he chose to spend $130,000 per day to store these materials rather than using them to secure the border. High-quality steel panels are there. Our President is spending money to store them rather than using them for the intended purpose. Taxpayers already paid for them. That amounts to tens of millions of dollars spent to do absolutely nothing all the while cartels continue to traffic drugs to people from across our southwest border.

The fact that we are spending taxpayer money to store these sections of the border wall rather than erect them is uncontested. That is admitted, and it is a fact. And it is one of the reasons Senators visit the border, to find out things like this.

We on the Armed Services Committee inquired about this waste. We found the administration to be hastily auctioning off panels and doing so for pennies on the dollar. This is quite obviously an effort to circumvent congressional intent. The administration sees this legislation coming; they see the overwhelming 86-to-11 vote; and they want to get as many of these sections of the wall auctioned off as government surplus before the legislation takes effect.

In one instance, the government sold $4.4 million worth of materials for a mere $156,000—$4.4 million worth of border wall segments sold for a mere $156,000. Again, this is uncontested. This is a fact that no one disputes. The administration is still unable to account for $255 million worth of materials.

The FINISH IT Act, which is in the NDAA, passed by the Senate, would compel the Biden administration either to use the existing border panels or sell them to States capable of building the wall themselves. Border states grasp the severity of this crisis in ways that the President somehow ignores.

Senate Republicans successfully shepherded this provision through the Democrat-led committee and secured wide bipartisan support from the Senate. Again, the bill passed by a final vote of 86 to 11.

It is not difficult to discern why, under this administration, really every State is a border State. Just ask the mayor of New York City, which used to like to be called a sanctuary city. The mayor of New York suddenly sounds almost as concerned about the border crisis as the Governor of Texas.

The FINISH IT Act represents just the first of several border security provisions in this year's defense legislation. Other measures address the threat posed by cartels. These criminal gangs bribe law enforcement officials and terrorize the innocent. These cartels have military-grade tools, and they use them. Our bill unlocks resources that empower the Department of Defense to take the fight to these dangerous organizations. We passed a provision which would help strengthen Mexican security forces. It would establish a pilot program designed to provide top-tier U.S. military training to law enforcement in Mexico. This would enhance bilateral cooperation against threats, including cartels.

Another provision helps confront cartels in cyberspace, and another improves coordination between defense, intelligence, and Homeland Security officials. These proposals harness the full array of U.S. technological and logistical capabilities to target work we can do from our side of the border.

The border crisis shows no sign of abatement. Illegal crossings continue to surge and fentanyl's devastating effects reach into more and more American neighborhoods and into every State. What affects the border, affects us all.

I am sure there will be strong discussion as the House and Senate move to a conference. There will, of course, be disagreements, and yet I remain hopeful that the integrity of our borders can be an area of agreement. We must take this opportunity to protect the homeland. We must pass this year's National Defense Authorization Act with these hard-won border security measures.

Mr. President, before I yield the floor, on a personal note, let me say that the Presiding Officer is looking particularly good this afternoon, and I appreciate his courtesy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

REMEMBERING ERICK SILVA

Ms. CORTEZ MASTO. Mr. President, today I rise to recognize an anniversary. Typically, people think of anniversaries as a happy time. Unfortunately, this is one of those anniversaries that we in Las Vegas and Nevada and many across this country and around the world look at as one of the worst tragedies that we have experienced in this country.

Six years ago, my hometown of Las Vegas experienced the worst mass shooting in modern American history. One gunman took the lives of 58 people that night; 2 more died later from their injuries; and thousands of families will never be the same.

On October 1, 2017, at the Route 91 Harvest Music Festival in Las Vegas, tens of thousands of people were listening to music; they were dancing; and they were enjoying the festivities.

That was until the gunfire started. In a matter of minutes, the gunman fired over 1,000 bullets into the crowd, leaving 58 dead and hundreds wounded. Two more concertgoers died from their injuries in the aftermath. The shock, the horror, the pain all come flooding back even now.

I will never forget sitting with families at the reunification center in Las Vegas that day after, praying that, along with the families, they would hear good news for their lost loved ones. But not all of them did. Too many lives were taken that night and far too soon.

If not for the heroes of that day who put their lives on the line to save others, even more lives would have been lost.

One of those heroes was Erick Silva.

Erick was from Las Vegas. He attended Las Vegas High School—by the way, the same high school that my parents attended—and after he graduated, he planned to become a police officer. In August 2017, he celebrated his 21st birthday. He would never celebrate another. Less than 2 months later, on October 1, Erick was working as a security guard at the festival. When the gunfire started, Erick ran into the crowd. He did not run away. He ran into the crowd to help, boosting concert-goers over barricades so they could exit the rain of bullets that was coming down. And in that effort to save lives, Erick lost his. He gave his life while saving others.

I remember speaking with Erick's mother, Angelica, at his funeral. Of course, her whole world had been turned upside down, but she knew that her son had died a hero. Erick would have been 27 this year, and, every year, Angelica celebrates her son's birthday with friends and family to remember Erick's life and honor his memory. His mother is making sure that her son and his heroism are never forgotten, and I can promise you we will never forget.

We will never forget Erick and the 59 others who lost their lives to senseless gun violence that night and in this country. We will never forget all of those people who put other people's lives, really, over their own that day. We will never forget the hundreds of concert-goers who are still dealing with those injuries and the thousands who are still coping with the trauma from the terror they witnessed that night.

We will never forget the first responders, the healthcare workers, and the everyday Nevadans who dropped everything to help save lives in the

aftermath because, even in our darkest hour, we are Vegas Strong; we are resilient; and together we will work to make sure this kind of tragedy never happens again.

In Nevada, we have taken action to do that by passing comprehensive background checks and red flag laws as well as banning the bump stocks used in the Route 91 shooting. Now, that is at the State level. We can do more. We can do that for the country as a whole if Congress is willing to work together. We can pass our bipartisan bill to outlaw bump stocks that turn guns into high-capacity killing machines. These devices aren't used for recreation. They are only used to commit mass violence. Let's get rid of them.

In working together in Congress, we can pass comprehensive background checks to make sure the criminals can't exploit loopholes to buy dangerous weapons. The vast majority of Americans supports this. I am proud of the work that we have done to pass the Bipartisan Safer Communities Act last year. That was historic legislation to curb gun violence and fund mental health programs. We did that working together across the aisle.

So we can and we must do more. We owe it to Erick, to his family, to the families of the fallen, and to Americans across the country. So let's come together in a bipartisan way and put action behind those words ''never forget.'' Until we do, we are at risk of history repeating itself.

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

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

CONTINUING RESOLUTION

Mr. RICKETTS. Mr. President, I am hearing a lot from Nebraskans about the chaos this week that is going on around here as we debate the legislation to continue funding our government.

We should be debating the reckless Big Government spending that has left us with a national debt of $33 trillion. That is $251,000 for every American household. That is about the average price of a house in Nebraska. It is like having another mortgage in national debt.

The consequences of this crippling debt mean that consumers see higher costs in interest rates. It slows the economy, and it stifles opportunities for American families.

With stubbornly high inflation, families across this Nation—including those on fixed incomes—are tightening their belts to stretch their budgets farther. This past week, I heard from many angry Nebraskans that the Congress refuses to do the same.

We need to fund our national defense, to secure our national security; and that includes closing our open border. We need to provide essential government services that Americans expect and deserve. What we don't need is to throw more money at partisan projects or wasteful and unnecessary government spending.

The time to have these important conversations about how we do all of that is right now, as we discuss these funding bills.

There is a process to do that without coming to the brink of a government shutdown. It starts with the President giving his budget by February 6. However, this year, President Biden gave us his budget over a month late.

Then Congress must pass 12 appropriations bills by September 30 to avoid a government shutdown.

The Senate Appropriations Committee passed two appropriations bills on June 22 and the other 10 in July. That means for nearly 2 months, the majority leader could have brought up these bills to the Senate floor. We could have had the votes right here on them. We could have debated them. We could have amended them. Ultimately, we could have passed final versions of them. However, the majority leader chose not to do that. Instead, he has played games and created the shutdown face-off.

He has squeezed the calendar to force his and President Biden's plan to spend trillions of dollars we don't have.

For example, this week, Senators were given only 40 minutes—just 40 minutes—to read and analyze a 79-page bill to continue the funding of government.

Unlike NANCY PELOSI, I am not going to vote to pass something so I can find out what is in it. Nebraskans deserve better. Americans deserve better.

The bill the Senate is now considering ultimately does nothing to address President Biden's wasteful and unnecessary spending. It does nothing to secure our border, which is being overrun by cartels trafficking migrants and drugs—dangerous drugs like fentanyl that is killing Americans every day. We should have an open government and a closed border.

The bill we are considering right now keeps Federal Government spending at its inflated postpandemic levels.

Federal Government spending is up 40 percent in just the last 4 years—40 percent in just 4 years. That is unacceptable.

The majority leader is forcing a vote with a false choice between a bloated and wasteful omnibus bill or a government shutdown. It is manipulative. It is wrong, and I won't stand for it.

We cannot keep giving President Biden and the majority leader a blank check to spend American taxpayer dollars however they want.

A broken process will always result in a broken product. We have to do better.

During my time as Governor, we kept the size and scope of government small. It wasn't always easy. Sometimes it required tough conversations. But our State was better off for it.

We ran the government more like a business. We improved the level of services for families in need. We invested in infrastructure, like roads and broadband. And we were able to deliver $12.7 billion in tax cuts.

In Nebraska, we kept the growth of government to just 2.8 percent a year. Again, contrast that to the 40 percent government spending is up at the Federal level in just 4 years—40 percent in just 4 years.

Here is the crazy part: President Biden is actually going to declare some Federal employees nonessential. If there is a shutdown, he is going to send them home, and then he is going to bring them back and pay them backpay. If they are essential workers, they should continue to stay at their jobs during a shutdown. And if they are unessential, why do we have them?

Our Federal Government must be more effective and efficient, not bigger and worse.

In Nebraska, we proved it possible. Bringing that success to Washington is one of the reasons why I want to be a Senator. I will continue fighting to get our fiscal house in order, to make sure we continue to provide essential services that Americans deserve and expect.

My colleagues and I will continue to have serious conversations about how to do that. I hope President Biden and the majority leader will do the same.

The PRESIDING OFFICER. The Senator from Rhode Island.

NAGORNO-KARABAKH

Mr. REED. Mr. President, I rise today to talk about the humanitarian crisis happening right now in the Nagorno-Karabakh region in South Caucasus. It is a tragedy unfolding before our eyes, with reports from the U.N. High Commissioner for Refugees stating that over 65,000 ethnic Armenians fled to Armenia from Nagorno-Karabakh since September 23. I expect the number of refugees will continue to rise rapidly in the coming days. They need immediate humanitarian aid: food, water, shelter, and clothing. Sadly, this is not the first time in history that the Armenian people have faced this kind of violence, aggression, and worse.

The Nagorno-Karabakh region has a long and complicated history. Armenia and Azerbaijan were both a part of the Soviet Union. As the USSR collapsed, conflict broke out and Armenia and Azerbaijan fought a bloody war in the late 1980s and early 1990s. It left tens of thousands of people dead, millions of civilians displaced, and the legal status of Nagorno-Karabakh in flux but under the rule of a de facto Government of the Republic of Artsakh. Violence largely stopped in 1994. However, deep tensions remain.

I may be one of the few Members of this body or either Chamber of Congress who visited the region following the first Nagorno-Karabakh war. During my visit in 1997, I met with local

leaders and civilians impacted by the conflict and saw firsthand the impact of the fighting.

Today, we are witnessing a new tragic chapter for the people of this region as the Government of Azerbaijan is moving to not only control the territory but to drive out the ethnic Armenian population from the region in the process. I have serious concerns that this may not be the end; that the aggressors may once again subject this region to a campaign of ethnic cleansing and cultural genocide on the ethnic Armenians who remain in Nagorno-Karabakh or decide they have future territorial aspirations in the region.

After years of uneasy peace, the Government of Azerbaijan began a 44-day war in 2020, seizing much of the territory around Nagorno-Karabakh. This left Nagorno-Karabakh further isolated. Russian peacekeepers, under the terms of an agreement they helped broker, were supposed to secure the Lachin corridor, which is the only humanitarian supply line between Armenia and Nagorno-Karabakh.

The Azeris asserted control over the corridor in December 2022, set up a military checkpoint, stopped the flow of commercial goods, food, and medicine, and ultimately prevented the flow of humanitarian aid to the region, setting the stage for the final set of hostilities that we saw on September 19 and the complete defeat and surrender of local security forces of Nagorno-Karabakh.

I say this because it is important to recognize the actions of the Azerbaijan Government were deliberate and calculated and I believe meant to achieve the outcome we are seeing today: tens of thousands of ethnic Armenians fleeing Nagorno-Karabakh for their lives.

I know the Azeris have very different feelings of the conflict and the outcome, but the United States cannot sit by and tolerate atrocities by either side in armed conflict. That cannot be the way to move forward because it does nothing to resolve differences and will never allow people and families to have any sort of reconciliation and closure after decades of conflict.

In light of Azerbaijan's renewed aggression, the U.S. Government must respond. I was relieved to see the State Department and USAID announce $11.5 million for the humanitarian response that is needed in Armenia. I fear, however, this is only a small portion of the actual need so I urge additional funds be readied to support the refugees quickly.

We need to do more. It is very clear the Azeris have not met the conditions for waiver of section 907 of the FREEDOM Support Act. Therefore, I have called for the immediate cessation of all U.S. security assistance to Azerbaijan.

My colleague Senator WHITEHOUSE and I have pressed the State Department and the Treasury Department to use its existing authority to issue Global Magnitsky Sanctions on those responsible for the human rights abuses against the people of Nagorno-Karabakh.

Given the change in the situation on the ground, I believe that the administration needs to exert more pressure and, indeed, take a more active role in ensuring that the government of Azerbaijan understands that there are consequences for its actions and that the United States is watching.

The region is at an inflection point. After decades of conflict, I understand the skepticism of both sides grounded in centuries of mistrust, but the process for a durable peace has to begin somewhere. The governments in Baku and Yerevan must take this window seriously and avoid divisive and hateful rhetoric that only fans the flames of mistrust and conflict. Without it, I worry only future bloodshed will follow.

I will continue my longstanding support for the Armenian people from Nagorno-Karabakh, and I call on my Senate colleagues to urge the administration to do the same.

We cannot sit idly by while a nation defines the world, claims territory that is in dispute, and has a systematic policy which appears to be emerging of ethnic cleansing.

We must stand up against this, and I urge all my colleagues to urge the administration to take a strong and vigorous stand against what is, I think, deplorable, despicable conduct by the government of Azerbaijan.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

REMEMBERING BROTHER MICHAEL REIS

Mr. REED. Mr. President, I rise today joined by my colleague Senator WHITEHOUSE to honor the life and legacy of Brother Michael Reis, a man who made it his mission in life to never, ever give up on any kid. Brother Michael found his vocation joining the De La Salle Christian Brothers in the 1970s, and I was privileged to be a product of a Christian Brothers High School.

Like the founder of his order Saint John Baptist de La Salle, Brother Michael dedicated his life to educating and lifting up children at risk of being consigned to the margins of society in life.

He began his career in New York as a math teacher but was soon drawn into the world of social work. He moved from the classroom to a residential facility for justice-involved youth. Fortunately, his journey brought him to Rhode Island, where he first worked as a chaplain at the Adult Correctional Institute.

In 1974, he cofounded Ocean Tides, a residential program that provides a challenging, safe, and healthy learning environment for young men who have experienced severe educational difficulties in regular school settings and, indeed, have had other complicated social problems.

Over the years, I have met many students who have been transformed by their experiences at Ocean Tides. I have had the privilege of hosting them in my Senate office and here at the Capitol. Their poise, leadership, and thoughtfulness gave me confidence in our shared future and also exemplified the remarkable contribution that Brother Michael made to our community and to these young men.

He literally transformed their lives, lives that were, in many cases, headed to a very difficult, dangerous, and destructive end and now are lives that are poised for success, for contributions to the community, for a vindication of his faith in all men and women.

In 1983, Brother Michael expanded his focus to support at-risk youth and their families by founding Tides Family Services, which promotes family preservation and keeping youth within their communities through individual, family, and group counseling, home visitations, educational and court advocacy, as well as the networking of social services.

With a mere startup fund of $15,000, Brother Michael built an organization that employs over 140 dedicated staff and serves 500 youths a day. And when I say ''serve,'' I mean it. I have talked to these counselors. They will literally pick up young men from their homes and drive them to school so they get there and then get them back. They will counsel them. They will encourage them. They will support them. They will give them confidence in themselves so that they can succeed.

It is a remarkable organization reflecting the spirit of Brother Michael, the dedication of Brother Michael, and his commitment to making sure that no child, as they say, is left behind.

I was proud to secure Federal resources to support the work that Tides is doing and the families it serves. Strong families are the foundation for everything else—economic security, educational attainment, civic participation, and healthy communities. These are investments that change lives and strengthen our society.

Brother Michael lived the mission of the De La Salle Christian Brothers. For over 40 years, he worked across systems, finding innovative ways to reach and support our most challenged youth and bring along partners to support this cause. His vision, tenacity, and great love of our community built two organizations that to this day are places of hope and healing for struggling youth and families. We are forever in his debt.

Brother Michael left us on Sunday, September 24, 2023, but his work lives on in the lives he changed, in the institutions he built, and most importantly, in the example he left for all of us.

With that, Mr. President, I would like to yield to my colleague from Rhode Island, Senator WHITEHOUSE.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Thank you, Mr. President, and thank you, Chairman REED.

We are joined on the Senate floor today in sorrow for a person who meant a lot to both of us.

One of life's profound joys is when you encounter people who are unforgettable, and in the case of Brother Michael, he was unforgettably kind.

He started out as a schoolteacher, always was interested in kids. He went to work in an incarcerative in-house juvenile facility and I think there developed his love for kids who were on the margins, kids who were involved with the justice system, kids who were facing difficulties in their lives, to try to make sure that he could help turn them to a more constructive path.

It was with that spirit that he came to the ACI, the Adult Correctional Institute, in Rhode Island, a formidable building in which—this is when I first met him—in which he was a figure of unique kindliness. There was really almost nothing that you could do that could cause Brother Michael to turn his back on you, and that came through to people so well.

When he started Ocean Tides, he went to the kids whom he could find who often didn't even have a home to go to, but they knew they were welcome at Ocean Tides. They could come through the door at any hour of the night. It was open. He would find them. He would look out for them. If they had needs, he would take care of them. If they needed a meal, he would give them a meal. If they needed a bed, he would give them a bed. If they needed counseling, he would connect with them.

His motto was exactly the one that Senator REED used: Never, never give up on a kid. That was the simple motto of his life. Child after child after child came through Ocean Tides, and, faced with that relentless love, that completely open and forgiving approach—he could be firm in discussing behavior with a kid, but it was always, always, always clear that he was never going to give up, he was never going to turn his back, and he was never going to stop loving that—in most cases, that boy.

As he developed his skills and his expertise and as people began to flock to him and as Ocean Tides grew, he came to recognize that caring for the child was vitally important, but making sure that the child could reunite with the family, that the family as a unit could succeed and could love and could receive love and give love, became his passion, and with that, Tides Family Services was born.

There are so many people around Rhode Island right now, including people who are very successful, who can look back in their lives to where Brother Michael's endless patience, endless kindness, and endless compassion gave them a pathway to work through whatever problems were clouding and bedeviling their lives and move on and then become successful.

I had the privilege, with then-Chairman GRASSLEY on the Judiciary Committee, of rewriting the Juvenile Justice and Delinquency Prevention Act back in 2018. Actually, we did a lot of work first. We finally got it passed in 2018. I remember going all around Rhode Island to make sure the people who were engaged with kids in the juvenile justice system were—that I heard what their input was, that I heard what they needed.

No one—no one—was more important to that process; no one had more fingerprints on the 2018 reauthorization of the Juvenile Justice and Delinquency Prevention Act of the United States of America than Brother Michael Reis. The policies that it provided were consistent with his advice and his judgment, which were consistent with his life of service.

You know, it is just endlessly difficult, I think, to deal with a child whose life has gone off rails somehow. It is agonizing work. Brother Michael never had enough, never said ''I am done,'' never seemed exhausted, always had a smile, always had a kindly hug, and always was available and present and forgiving.

So, you know, what he accomplished is a wonderful thing, but what I can't get out of my mind as I think about him is just who he was and how your own heart would soar, your own face would smile, just in the encounter with him because he was that kind of a person.

At one point, he said to me, ''We need to take particular care for the last, the least, and the lost.'' And still to this day, on my computer screen in my office, I have a faded sticker that has ''last,'' ''least,'' and ''lost'' written on it that I wrote down way back whenever it was when he said it, and it stuck in my mind.

So, as Senator REED said, we lost Brother Michael, but in addition to the institutions and the lives he changed, he also leaves a very powerful legacy in the law through the Juvenile Justice and Delinquency Prevention Act and in the hearts of so many people who were changed by being able to be near such a wonderful person.

I yield the floor.

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

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

TIM'S ACT

Mr. BENNET. Mr. President, I am glad to be here tonight with the Presiding Officer, a Member of this body who probably, more than most, understands the consequences of this government shutdown. Of the, maybe, 100 people in this body and of the 435 people in the House of Representatives, I would be surprised if there were somebody among us who would be less likely to close the government down over politics than the Presiding Officer from the Commonwealth of Virginia, because he knows how important it is, among other people, to the dedicated public servants who live in his State and work for the Federal Government.

Tonight, I wanted to come to the floor to talk about a group of men and women who most people serving in this Chamber know very little about—or they may know nothing about. They are men and women whose livelihoods are at stake and are being held hostage by a small band of extremists dead set on shutting down the government for their own political purposes. And these are America's Federal wildland firefighters.

This is a photo of Federal wildland firefighters who are responding to the Pine Gulch Fire in Colorado. The picture, in many ways, sort of says it all. One of the things it says is neither you nor I nor anybody on this floor really could fully imagine or describe what it must be like to do this work.

I can't imagine parachuting through yellow skies that can't allow you to see where the ground is and dropping down in the total wilderness. I would be very surprised if anybody in this Chamber could comprehend what it must be like to hear nothing but the roar of chain saws and crackling brush all around you while tankers and helicopters overhead on top of you dump blood-red retardant and water to suppress the flames or what it is like to carry enough food to sustain you for days at a time.

There is nobody who is going to come feed you, and you have axes and water and a sleeping bag all on your back, in a pack that is just made heavier by unrelenting smoke and unrelenting fire. You are doing the heartbreaking work of slashing away at brush and small trees. I am sorry—the backbreaking work. It is probably heartbreaking sometimes. You are doing the backbreaking work of slashing away at brush and small trees; using gasoline for a roaring wildfire; and making a fire line until you get to mineral soil. I don't know about any of that.

I can't imagine the flood of relief, after 16 hours of grueling work, getting back to the ''black.'' That is the area that has already been burned, and that is a sign that, finally, after those 16 hours—or however many hours those are—you are in a safe spot. And for all of that effort, you are making $15 an hour—less than somebody could make at Subway or at another fast-food restaurant.

I never have lived in my car as a price of doing the job that I was asked to do, sleeping cramped in the back seat after a 16-hour day because you can't afford a place to live—or the

loneliness of being without your wife and kids for months and months at a time while working on a fire. I don't know how it must feel to work 1,000 hours of overtime every year for your country and know that your family is still on food stamps because, no matter how hard you work, you can't make enough money to put food on the table for your family. I don't know what that feels like, but that is the reality for America's wildland firefighters.

Helicopter rappellers and engine operators and handcrews and hotshots and smokejumpers make up wildland firefighting crews. These men and women parachute into fire. They walk into fire. They drive into fire.

There is a picture of a smokejumper parachuting through smoke. You can probably barely see it, but it gives you the sense of the danger of it. These are highly trained experts in their field. Believe it. Take it from me that they are in peak physical condition.

In the last few decades, the wildfire season has extended and extended and extended by over 70 days. It is common for politicians to say we don't have a wildfire season anymore; it is all year round. But the reality for these workers is that they are having to work those fires all year round. And the fires have become increasingly intense. If you talk to people who have had to fight them on the ground, there are people who have been doing this—believe it or not—for 25 years, for 30 years. They have seen what it used to look like and what it looks like now. They can tell you the intensity has changed because of climate change and because of the historic drought that we face.

By the way, it is important for this body to understand that this is not just in the West. We have, obviously, been beset by fires and by drought in the West; but right now, while we are here, there are wildfires in Louisiana. We have seen the total destruction—the tragedy—of Maui. Even New Jersey this year has seen wildfires. They have been ravaged by them in that State.

I heard a firefighter say to me the other day that the wildland firefighters are like the Swiss Army knives of first responders because in the off season, they support hurricane relief efforts in the South. They administered vaccines at the peak of the COVID epidemic. They even helped with the space shuttle recovery.

Two years ago during the infrastructure bill, as part of a recognition that the drought was creating a huge problem for us in the West, we made things a little better for our wildland firefighters. The bipartisan infrastructure law provided over 20,000 wildland firefighters a temporary pay raise, and that has been a godsend for them. By the way, it is only bringing them up to—I mean, it is barely what they should make, but, at least, you can make it on what we are paying them now. But that money is fast expiring, and this lifeline is almost gone. You know, for them, it meant that skilled firefighters were able to remain in the profession who might have otherwise quit.

By the way, when you ask them about that, the reason they have stayed is because they have such a sense of mission. That is part of it. They also know that they don't know who would replace them. Who would take their job? Who would walk in their shoes who is, you know, making the kind of money that they are making? But they finally had a sense that maybe the Nation was recognizing their work and that they could, at least, provide for their families.

On Friday, I met with a group of wildland firefighters in Grand Junction, CO, who shared their stories with me. I would encourage every Member of this body to do the same. They described being so disconnected from their families and friends during fire season that they feared they would lose them. They feared slipping into deep depression because of the grueling nature of the work and the months spent away from home. We talked about riding a bike back and forth to work because they couldn't afford to maintain a car; the feelings of having your passion for your job—remember, these are people who are, in theory, you know, inspired by the sunset—having your passion for your job exploited by the Federal Government which knows you will show up because you love the job even without getting the pay you deserve year after year, fire after fire after fire; grappling with the trauma of seeing other people's homes burn to the ground and losing crew members in the line of duty.

One crew leader in Colorado told me she had lost three firefighters to suicide. Another just lost a friend to cancer likely due to smoke inhalation. Wildland firefighters are 10 to 20 times more likely to commit suicide than the average American, and they face a 43-percent increased risk for developing cancer.

A firefighter told me: None of us wants to be millionaires. We just want to do good work, the work that we love.

These are the men and women saving lives. These are the men and women saving homes and defending the 640 million acres—thank God—of America's public lands.

The failure of Congress to act has forced talented firefighters to leave the profession, which is the last thing they want to do. It is going to cost us the next generation of wildland firefighters who are needed more than ever because of climate change and what it is doing to the West and fire seasons all across this country.

Really importantly, the continuing resolution that you support and that I support—that we have passed miraculously with almost 80 votes in the Senate, showing the broad bipartisan support there is all across this country for keeping our government open—will extend their pay by a couple of paychecks. That is really important. But I am here to say that our wildland firefighters need a permanent raise.

Something we could do today is to pass the Wildland Firefighter Paycheck Protection Act to permanently extend the pay increase in the bipartisan infrastructure law. Believe me, that is the least we could do for these men and women. We owe our wildland firefighters so much more than just fair pay. They deserve paid leave, housing benefits, and mental health care. That is why I have introduced Tim's Act with Congressman NEGUSE, who is also my colleague from Colorado, which would provide all of that and ensure that every wildland firefighter makes at least $20 an hour. That doesn't seem unreasonable. Our bill is named for Tim Hart, a smokejumper who lost his life after parachuting into a wildland fire in New Mexico.

This is a photo of Tim Hart.

I have been fortunate—more fortunate than you can imagine—to meet Michelle, Tim's wife, who is upholding his legacy through her relentless support of what she calls ''Tim's fire family.'' And that is what I meant the other day, was a family. That is what anybody here—if you had been here or had been in Grand Junction—would have thought. And Michelle has been kind enough to share a bit about Tim with me.

Tim was a practical joker. He loved a glass of rye whiskey neat, and he loved Halloween. But mostly, he loved his calling. He loved his passion, being a wildland firefighter.

Every year he would consider it all worth it: the bad pay, sleeping out of his truck, leaving Michelle to put his life at risk. And every year, the answer was yes. Every year, the answer was, yes, it is worth it.

He answered yes for his country, his brothers and sisters in fire, and for his love of our Nation's landscape.

These firefighters are much more than the blazes that they battle, and the least we could do is pay them a living wage.

As I mentioned, there is a saying among wildland firefighters, which is, ''They pay us in sunsets.'' I am here today to tell you that is not enough. It is not enough.

It is this country's duty to support these men and women, our Nation's duty to support these firefighters who are defending us. There is nobody else who is going to step into the breach if we lose them. Someday, there will be somebody who is coming to this floor, standing here from the State of Colorado or maybe the Commonwealth of Virginia who is going to say: If only we had done it differently back then.

We need to keep this government open. The Nation depends on it. We need to permanently raise wildland firefighter pay. And after we do that, I hope we will come together to pass Tim's Act to give our wildland firefighters just a little bit of what they finally deserve.

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. 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.

H.R. 3935

Mr. SCHUMER. Mr. President, as we get closer and closer to an unnecessary and totally avoidable government shutdown, one thing remains clear: The only way forward is bipartisan cooperation. That is what we have been pursuing here in the Senate.

I want to salute not only PATTY MURRAY but SUSAN COLLINS, Leader MCCONNELL, and our Republican colleagues as we work to pass this CR. But that work is not yet done.

ORDER OF BUSINESS

Mr. President, for the information of all Senators, we will convene tomorrow at 10 a.m. to continue consideration of the CR so we can avoid an unnecessary and devastating government shutdown.

Members are also advised that we will hold two rollcall votes beginning at noon on U.S. attorneys for the Southern District of California and the Southern District of Mississippi.

I hope that we can come to an agreement to pass the bipartisan CR quickly. A government shutdown, as we all know, would be a terrible outcome for the American people. It would gravely impact pay for our troops, our border, TSA, nutrition programs, food inspections, and so much more.

If no agreement is reached tomorrow, Members should plan on voting Saturday morning on cloture.

I thank my colleagues for their good work.

NATIONAL HAZING AWARENESS WEEK

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 360.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 360) designating the week of September 25 through September 29, 2023, as ''National Hazing Awareness Week''.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 360) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 21, 2023, under ''Submitted Resolutions.'')

MORNING BUSINESS

ADDITIONAL STATEMENTS

TRIBUTE TO CHAD BAUER

● Mr. DAINES. Mr. President, today I have the distinct honor of recognizing Chad Bauer of Missoula County for his commitment to stewarding safe and ethical practices among the next generation of Montana sportsmen and women.

Chad served as a volunteer with the Montana Fish, Wildlife, and Parks Missoula branch for 20 years where he instructed over 1,000 Montanans in hunter and bowhunter education classes. We know that Montana's public lands and wildlife deserve the utmost respect, so ensuring future sportsmen and women commit themselves to safety and conservation is key. From proper firearm handling, administering bear spray, crossing fences, responsible land use and fair-chase practices, Chad wants to ensure that Montanans' ethics translate beyond their time spent in hunter orange.

September in Montana means the official start of archery season. As Montanans in every corner of the State are putting in long days in the backcountry to fill their respective tags, Chad understands the importance of being bear-aware when it comes to grizzlies. When Chad served on the State of Montana's Grizzly Bear Advisory Council, he applied his knowledge as a lifelong outdoorsmen to help make recommendations that would allow for commonsense management of these apex predators. I am glad to see Chad not only share his insight with the council, but also with his students in hunter and bowhunter education classes to ensure they could enjoy the great outdoors while upholding best safety practices.

It is my distinct honor to recognize Chad Bauer for his enthusiasm and dedication to equipping future Montana hunters with the skills and knowledge needed to create treasured hunting memories of their own. I am confident his 20 years as a volunteer instructor helped strengthen the integrity of Montana's hunting heritage, and the skills and lessons he has shared will not be forgotten. Thank you for encouraging our youth to get out and experience all that Montana has to offer, Chad—you make Montana proud.●

TRIBUTE TO CAROLYN JAYNE ARRINGTON

● Mr. RUBIO. Mr. President, I recognize Carolyn Jayne Arrington, the DeSoto County Teacher of the Year from DeSoto County High School in Arcadia, FL.

Jayne has more than 20 years of experience developing lesson plans and classroom strategies to ensure students succeed. She commits her time and talents to helping students meet their personal educational goals.

Jayne's passion for providing quality student education drives her ambitions as a teacher. Her pledge to her students for the school year is to ensure they leave her classroom confident in the subject material with a mastery that lasts with them throughout their academic career.

Jayne has taught Algebra 1, Algebra 1A/1B, Pre-calculus, and Advanced Placement Calculus at DeSoto County High School since 2015. She also has served as her school's mathematics department head since 2017 and was named Mathematics District Lead Professional Development representative for the county in 2021. Jayne earned her master's degree in mathematics education and her bachelor's degree in mathematics with a minor in education from the University of Florida in 1993 and 1994, respectively.

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

TRIBUTE TO TRACY CLAUSON

● Mr. RUBIO. Mr. President, I recognize Tracy Clauson, the St. Johns County Teacher of the Year from Sebastian Middle School in St. Augustine, FL.

Tracy works with other teachers in developing support sessions that acclimate them into the classroom. She sets high expectations to be successful and ensures their students learn to the best of their abilities.

Tracy created and hosted development training programs for her fellow educators, emphasizing student engagement and classroom management. Her work with the Professional Development Certification Program and clinical educational training offers the best opportunity for their students' success during the school year.

Tracy teaches seventh and eighth grade Spanish at Sebastian Middle School. She has more than 12 years of teaching experience in reading and in English, Spanish, and English for speakers of other languages classes. Tracy also serves as district lead for middle school Spanish and participated in the 2022–2023 Instructional Literacy Coach Academy.

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

TRIBUTE TO KATRINA FEOLA

● Mr. RUBIO. Mr. President, I recognize Katrina Feola, the Putnam County Teacher of the Year from Crescent

City Junior-Senior High School in Crescent City, FL.

Katrina became an educator because of her desire to help students obtain a bright future. She always works to help them achieve their goals and often meets with students after they leave her classroom.

Katrina makes her classroom available to other teachers and administrators as they work together for students. They design lesson plans to find a student's weakness and turn it into their strength.

Katrina teaches English 1 and has more than 30 years of education experience in the Putnam County School District. She returned to teaching in 2021 and serves on various committees at her school and within the school district.

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

TRIBUTE TO ESTELA GONZALEZ

● Mr. RUBIO. Mr. President, I recognize Estela Gonzalez, the Glades County Teacher of the Year from West Glades School in LaBelle, FL.

Estela attends every school event for students, dressing in costume or as the school's mascot. She often spends time on the playground with the younger grade levels, developing relationships with her future students. She does this because she knows earning a student's trust early on is important to their success.

Estela's commitment to students results in many asking to be in her classroom. Once in her classroom, she holds students to high expectations and develops cooperative teaching strategies to teach students and ignite a passion for learning. Estela also shares her plans with her fellow teachers to ensure all of their students reach their full potential.

Estela has taught third grade at West Glades High School since 2017. She has also served as the co-athletic director to ensure students have a sports season. She has led the accelerated reading committee and involves herself in other committees when needed throughout the school year.

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

TRIBUTE TO SUNDAI WASTON GRILLO

● Mr. RUBIO. Mr. President, I recognize Sundai Waston Grillo, the Collier County Teacher of the Year from Gulf Coast High School in Naples, FL.

Sundai believed she would have a career in nonprofit work after graduating from college. Instead, her time on the University of Florida Gators Volleyball team offered her an opportunity to continue her playing career in Asturias, Spain. While there, she lived across the street from a school and began working with children to develop their English language skills. It was there that she found her passion for educating others.

After Sundai returned to the United States, she began working at her alma mater, teaching English and reading to English language learners. Sundai serves as the literacy coach at Gulf Coast High School. She graduated with her bachelor's degree in public relations and image management from the University of Florida in 2013 and was a 4-year letterman for the Gators Volleyball team.

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

TRIBUTE TO EMILY MURPHY

● Mr. RUBIO. Mr. President, I recognize Emily Murphy, the Suwannee County Teacher of the Year from Suwannee Springcrest Elementary School in Live Oak, FL.

Emily believes Suwannee's schools provide students the best choice to further their educational goals. She commits each day to ensure her students learn something new and takes pride in showcasing their success across Florida.

Emily enjoys working with her fellow teachers as they develop lesson plans suited to meet the needs of their students. She views her job as making the first educational impact on her young students and hopes they take what they learn in stride. Emily was humbled to receive this important recognition because she works alongside many great educators.

Emily teaches kindergarten at Suwannee Springcrest Elementary and has worked in the Suwannee County School District for the past few years.

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

TRIBUTE TO KRASHELLE SKELLY

● Mr. RUBIO. Mr. President, I recognize Krashelle Skelly, the Dixie County Teacher of the Year from Dixie County High School in Cross City, FL.

Krashelle loves connecting with her students by finding or creating ways to present her lesson materials for real life usage. Often, she will show angle measurements in roof trusses or how the area relates to buying flooring and paint for homes.

Krashelle considers herself a lifelong learner and is always looking for ways to become a better educator for her students. Her passion as a mathematics educator drives her to ensure her students reach their academic goals.

Krashelle is an instructional coach at Dixie County High School, where she has taught for the past 8 years. She graduated with her bachelor's degree from the University of Florida in food and resource economics. She earned her associates in arts degree from Santa Fe College in business administration and management.

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

TRIBUTE TO BRETT WASDEN

● Mr. RUBIO. Mr. President, I recognize Brett Wasden, the Gilchrist County Teacher of the Year from Bell High School in Bell, FL.

Brett is passionate about empowering his students to grow academically and personally. He works to be a role model for his students and appreciates those who helped him become the teacher he is today.

Brett is dedicated to promoting his students and ensuring they have the tools necessary to be successful. His lesson plans focus on their personal development, and he strives for his students to have a solid grasp of the subject material.

Brett has been an agriscience teacher at Bell High School since 2020. He earned his master's in community and leadership development from the University of Kentucky and his bachelor's in agricultural education and communication from the University of Florida.

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

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

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–2202. A communication from the Under Secretary for Policy, Department of Transportation, transmitting, pursuant to law, a report entitled ''Annual Report on Disability-Related Air Travel Complaints Received During Calendar Year 2020''; to the

Committee on Commerce, Science, and Transportation.

EC–2203. A communication from the Senior Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Suspension of HMR Amendments Authorizing Transportation of Liquefied Natural Gas by Rail'' (RIN2137–AF55) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2204. A communication from the Chief of Revenue and Receivables, Office of Managing Director, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Assessment and Collection of Regulatory Fees for Fiscal Year 2023; Review of the Commission's Assessment and Collection of Regulatory Fees, Report and Order'' ((FCC 23–66) (MD Docket Nos. 23–159 and 22–301)) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2205. A communication from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Order on Reconsideration, Empowering Broadband Consumers Through Transparency'' ((FCC 23–68) (CG Docket No. 22–2)) received in the Office of the President of the Senate on September 14, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2206. A communication from the Chief, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Updating References to Standards Related to the Commission's Equipment Authorization Program'' ((FCC 23–14) (ET Docket No. 21–363)) received in the Office of the President of the Senate on September 11, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2207. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Ensuring the Reliability and Resiliency of the 988 Suicide & Crisis Lifeline; Amendments to Part 4 of the Commission's Rules Concerning Disruptions to Communications; Implementation of the National Suicide Hotline Improvement Act of 2018'' ((FCC23–57) (PS Docket No. 23–5) (WC Docket No. 18–336)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2208. A communication from the Special Counsel, Office of the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Ban of Crib Bumpers'' (Docket No. CPSC–2022–0024) received in the Office of the President of the Senate on September 11, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2209. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modification of the West Coast Salmon Fisheries; Inseason Actions #26 Through #33'' (RIN0648–XC210) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2210. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modification of the West Coast Salmon Fisheries; Inseason Actions #33 Through #36'' (RIN0648–XC289) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2211. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; 2022 Red Snapper Private Angling Component Closure in Federal Waters off Texas'' (RIN0648–XC320) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2212. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Western Regulatory Area of the Gulf of Mexico'' (RIN0648–XC308) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2213. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XC307) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2214. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Kamchatka Flounder in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC014) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2215. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; 2022 Commercial Pacific Bluefin Tuna Trip Limit in the Eastern Pacific Ocean'' (RIN0648–XC401) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2216. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the General Category October Through November Fishery for 2022'' (RIN0648–XC431) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2217. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category December Quota Transfer'' (RIN0648–XC483) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2218. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the General Category September Fishery for 2022'' (RIN0648–XC331) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2219. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category October Through November Quota Transfer'' (RIN0648–XC420) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2220. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; Inseason Adjustment to the 2022 Specifications'' (RIN0648–XC475) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2221. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category September Quota Transfer'' (RIN0648–XC282) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2222. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the Harpoon Category Fishery'' (RIN0648–XC206) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2223. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska'' (RIN0648–XC346) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2224. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States; Modification of the West Coast Salmon Fisheries; Inseason Actions #26 Through #33'' (RIN0648–XC210) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to

the Committee on Commerce, Science, and Transportation.

EC–2225. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XC376) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2226. A communication from the Acting Branch Chief, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska; 'Other Rockfish' in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC285) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2227. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska; Gulf of Alaska; Final 2023 and 2024 Harvest Specifications for Groundfish'' (RIN0648–XC347) received in the Office of the President of the Senate on September 11, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2228. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone off Alaska; Bering Sea and Aleutian Islands; Final 2023 and 2024 Harvest Specifications for Groundfish'' (RIN0648–XC365) received in the Office of the President of the Senate on September 11, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2229. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Herring Fishery; Framework Adjustment 9'' (RIN0648–BL06) received in the Office of the President of the Senate on September 11, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2230. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; 2022–2024 In-Season Action Announcement Procedures for Commercial Pacific Bluefin Tuna in the Eastern Pacific Ocean'' (RIN0648–BL59) received in the Office of the President of the Senate on September 11, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2231. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Island Fisheries; Pelagic Longline Gear and Operational Requirements'' (RIN0648–BK74) received in the Office of the President of the Senate on September 11, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2232. A communication from the Senior Counsel, Office of the General Counsel, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Ban of Inclined Sleepers for Infants'' (Docket No. CPSC–2012–0025) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2233. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Hartington, NE'' ((RIN2120–AA66) (Docket No. FAA–2023–1009)) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2234. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Update to Air Carrier Definitions'' ((RIN2120–AA66) (Docket No. FAA–2022–11563)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2235. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Cross City, FL'' ((RIN2120–AA66) (Docket No. FAA–2023–0985)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2236. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Greenville, ME'' ((RIN2120–AA66) (Docket No. FAA–2023–0673)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2237. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Nashville, TN'' ((RIN2120–AA66) (Docket No. FAA–2023–0995)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2238. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revocation, Amendment, and Establishment of Air Traffic Service (ATS) Routes Due to the Decommissioning of the Greene County, MS, VOR'' ((RIN2120–AA66) (Docket No. FAA–2023–0328)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2239. 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. 4072'' ((RIN2120–AA65) (Docket No. 31500)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2240. 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. 4071'' ((RIN2120–AA65) (Docket No. 31499)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2241. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–228 in the Vicinity of Cape Newenham, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0215)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2242. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–481; Sitka, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0249)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2243. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–225; Galena, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0215)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2244. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–228 in the Vicinity of Fairbanks, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0265)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2245. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Routes; Eastern United States'' ((RIN2120–AA66) (Docket No. FAA–2023–1276)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–376 in the Vicinity of Illiamna, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0440)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation

(RNAV) Route T–379 in the Vicinity of Discovery, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0244)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–270 in the Vicinity of Shishmaref, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0435)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2249. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–260 in the Vicinity of Nome, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0434)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–271 in the Vicinity of Iliamna, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0428)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2251. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Routes; Eastern United States'' ((RIN2120–AA66) (Docket No. FAA–2023–1020)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2252. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–388 in the Vicinity of Port Heiden, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0266)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2253. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airways V–71 and V–245, Revocation of VOR Federal Airways V–554 and V–570, and Establishment of United States Area Navigation (RNAV) Routes T–471, T–473, and T–474 in the Vicinity of Natchez, MS'' ((RIN2120–AA66) (Docket No. FAA–2023–0444)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2254. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–230 in the Vicinity of Paul Island, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0216)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2255. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–226; Central, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0197)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2256. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of United States Area Navigation (RNAV) Route T–380; Emmonak, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0245)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2257. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–277; Point Lay, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0430)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2258. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of United States Area Navigation (RNAV) Route T–719 in the Vicinity of Sitka, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0429)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2259. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–282; Ruby, AK'' ((RIN2120–AA66) (Docket No. FAA–2022–0221)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2260. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Renaming of Restricted Areas R–6602A, R–6602B, R–6602C; Fort Pickett, VA'' ((RIN2120–AA66) (Docket No. FAA–2023–1534)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2261. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22497'' ((RIN2120–AA64) (Docket No. FAA–2022–1479)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2262. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22494'' ((RIN2120–AA64) (Docket No. FAA–2022–0458)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2263. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22503'' ((RIN2120–AA64) (Docket No. FAA–2023–0934)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2264. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22457'' ((RIN2120–AA64) (Docket No. FAA–2023–0432)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2265. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22494'' ((RIN2120–AA64) (Docket No. FAA–2022–0458)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2266. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters; Amendment 39–22493'' ((RIN2120–AA64) (Docket No. FAA–2023–0931)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2267. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters; Amendment 39–22507'' ((RIN2120–AA64) (Docket No. FAA–2023–0937)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2268. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters; Amendment 39–22506'' ((RIN2120–AA64) (Docket No. FAA–2023–0016)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2269. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22488'' ((RIN2120–AA64) (Docket No. FAA–2023–0427)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2270. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22498'' ((RIN2120–AA64) (Docket No. FAA–2023–0656)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2271. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22495'' ((RIN2120–AA64) (Docket No. FAA–2022–1296)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2272. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22509'' ((RIN2120–AA64) (Docket No. FAA–2023–1038)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2273. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Correction; Amendment 39–22461'' ((RIN2120–AA64) (Docket No. FAA–2023–0927)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2274. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39–22487'' ((RIN2120–AA64) (Docket No. FAA–2022–1163)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2275. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39–22514'' ((RIN2120–AA64) (Docket No. FAA–2023–1636)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2276. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39–22516'' ((RIN2120–AA64) (Docket No. FAA–2023–1646)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2277. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39–22520'' ((RIN2120–AA64) (Docket No. FAA–2023–1654)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2278. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39–22491'' ((RIN2120–AA64) (Docket No. FAA–2023–0935)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2279. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39–22511'' ((RIN2120–AA64) (Docket No. FAA–2023–1500)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2280. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes; Amendment 39–22504'' ((RIN2120–AA64) (Docket No. FAA–2023–1487)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2281. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; AVOX System Inc. (Formerly Scott Aviation) Oxygen Cylinder and Valve Assemblies and Oxygen Valve Assemblies; Amendment 39–22496'' ((RIN2120–AA64) (Docket No. FAA–2023–0015)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2282. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Canada Corp. Turbofan Engines; Amendment 39–22513'' ((RIN2120–AA64) (Docket No. FAA–2023–0939)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2283. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes; Amendment 39–22508'' ((RIN2120–AA64) (Docket No. FAA–2023–0659)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2284. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Air Tractor, Inc. Airplanes; Amendment 39–22519'' ((RIN2120–AA64) (Docket No. FAA–2023–1653)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2285. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Safran Helicopter Engines, S.A. Engines; Amendment 39–22515'' ((RIN2120–AA64) (Docket No. FAA–2023–1043)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2286. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Ipeco Pilot and Co-Pilot Seats; Amendment 39–22510'' ((RIN2120–AA64) (Docket No. FAA–2023–0661)) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2287. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes; Amendment 39–22521'' ((RIN2120–AA64) (Docket No. FAA–2022–1566)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2288. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Canada Limited Partnership (Type Certificate Previously Held by C Series Aircraft Limited Partnership (CSALP); Bombardier, Inc.) Airplanes; Amendment 39–22522'' ((RIN2120–AA64) (Docket No. FAA–2022–1483)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2289. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes: Amendment 39–22505'' ((RIN2120–AA64) (Docket No. FAA–2023–1491)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2290. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes: Amendment 39–22423'' ((RIN2120–AA64) (Docket No. FAA–2022–1655)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2291. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22541'' ((RIN2120–AA64) (Docket No. FAA–2023–1814)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2292. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22517'' ((RIN2120–

AA64) (Docket No. FAA–2023–1650)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2293. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bell Textron Canada Limited Helicopters; Amendment 39–22540'' ((RIN2120–AA64) (Docket No. FAA–2023–1813)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2294. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Engines; Amendment 39–22537'' ((RIN2120–AA64) (Docket No. FAA–2023–1808)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2295. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BRP–Rotax GmbH & Co KG (Formerly BRP–POWERTRAIN GMBH & CO KG and Bombardier-Rotax GmbH) Engines and Various Aircraft; Amendment 39–22539'' ((RIN2120–AA64) (Docket No. FAA–2023–1809)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2296. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Schempp-Hirth Flugzeubau GmbH Gliders; Amendment 39–22531'' ((RIN2120–AA64) (Docket No. FAA–2023–1054)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2297. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Cameron Balloons Ltd. Fuel Cylinders; Amendment 39–22535'' ((RIN2120–AA64) (Docket No. FAA–2023–1806)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2298. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; International Aero Engines, LLC Engines; Amendment 39–22526'' ((RIN2120–AA64) (Docket No. FAA–2023–1714)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2299. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd Airplanes; Amendment 39–22518'' ((RIN2120–AA64) (Docket No. FAA–2023–1042)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2300. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piaggo Aviation S.p.A. Airplanes; Amendment 39–22523'' ((RIN2120–AA64) (Docket No. FAA–2023–1712)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2301. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; De Havilland Aircraft of Canada Limited (Type Certificate Previously Held by Bombardier, Inc.) Airplanes; Amendment 39–22524'' ((RIN2120–AA64) (Docket No. FAA–2023–1047)) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Commerce, Science, and Transportation.

EC–2302. A communication from the Chief Innovation Officer, Rural Development Innovation Center, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Notice of Funding Opportunity for Calendar Year 2022 Disaster Water Grants Program for Fiscal Year 2023'' received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2303. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fluazaindolizine; Pesticide Tolerances'' (FRL No. 8786–01–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2304. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imazapic; Pesticide Tolerances'' (FRL No. 11129–01–OCSPP) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2305. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Aspergillus flavus strain TC16F, TC35C, and TC46G; Amendment to Temporary Exemptions from the Requirement of a Tolerance'' (FRL No. 10971–01–OCSPP) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2306. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Spinosad; Pesticide Tolerances'' (FRL No. 11036–01–OCSPP) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2307. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Pyraclonil; Pesticide Tolerances'' (FRL No. 11246–01–OCSPP) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2308. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Trifluralin; Pesticide Tolerances'' (FRL No. 11272–01–OCSPP) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2309. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Imazapyr; Pesticide Tolerances'' (FRL No. 11274–01–OCSPP) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2310. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Methoxyfenozide; Pesticide Tolerances'' (FRL No. 11276–01–OCSPP) received in the Office of the President of the Senate on September 12, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2311. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Flonicamid; Pesticide Tolerances'' (FRL No. 11393–01–OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on September 15, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2312. A communication from the Director of the Regulations Development Staff, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Condemnation of Poultry Carcasses Affected with Any Form of Avian Leukosis Complex; Rescission'' (RIN0583–AD84) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2313. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Redefining Bona Fide Cotton Spot Markets'' (Docket No. AMS–CN–22–0061) received in the Office of the President of the Senate on September 14, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2314. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Walnuts Grown in California; Order Amending Marketing Order No. 984'' (Docket No. AMS–SC–22–0010) received in the Office of the President of the Senate on September 14, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2315. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports (2023 Amendment)'' (Docket No. AMS–CN–23–0004) received in the Office of the President of the Senate on September 14, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2316. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Dairy Donation Program'' (Docket No. AMS–DA–21–0013) received in the Office of the President of the Senate on September 14, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2317. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Nomenclature Change; Technical Amendment'' (Docket No. AMS–LRRS–23–0014) received in the Office of the President of the Senate on September 21, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2318. A communication from the Assistant Secretary of Defense (Energy, Installations, and Environment), transmitting, pursuant to law, a report entitled ''Per- and Polyfluoroalkyl Substances Task Force Activities''; to the Committee on Armed Services.

EC–2319. A communication from the Assistant Secretary of Defense (Energy, Installations, and Environment), transmitting, pursuant to law, a report entitled ''Best Practices for Community Engagement in Hawaii''; to the Committee on Armed Services.

EC–2320. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a notice of additional time required to complete a comprehensive plan to supplement existing training curricula related to software acquisitions and cybersecurity software and hardware acquisitions; to the Committee on Armed Services.

EC–2321. 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; FAR Case 2022–008, Update to ASSIST Database References'' (RIN9000–AO45) received in the Office of the President of the Senate on September 6, 2023; to the Committee on Armed Services.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–69. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to establish the ''Agent Orange Veterans Service Medal'' to commemorate the service and sacrifice of veterans who were exposed to the Agent Orange herbicide during the Vietnam War from 1961 to 1971; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION NO. 12

Whereas, for generations, millions of Americans have answered the call to serve and taken the sacred oath to defend and preserve our nation's ideals of liberty and democracy; and

Whereas, such valiant men and women sacrifice their personal safety and time with their families to protect the individual and collective freedom guaranteed to all Americans; and

Whereas, more than eight million citizens of this country honorably served during the Vietnam War, during which time Agent Orange was widely used in Vietnam by the United States Armed Forces as part of the herbicidal warfare program Operation Ranch Hand from 1961 until 1971; and

Whereas, nearly twenty million gallons of the orange powder were sprayed over the land from helicopters or low-flying aircraft, destroying vegetation and crops in order to deprive enemy guerrillas of food and cover for their activities and exposing more than two million American soldiers to the herbicide and defoliant chemical; and

Whereas, Agent Orange is a dioxin and cancer-causing chemical that enters the body through physical contact or ingestion and moves into the human cell nucleus, where it attacks the genes and causes a number of serious illnesses, including leukemia, lymphoma, myeloma, ischemic heart disease, soft tissue sarcoma, amyloidosis, diabetes, and cancers of the throat, prostate, lung, and colon; and

Whereas, Agent Orange also causes genetic damage, and in some cases, the children and grandchildren of veterans exposed to Agent Orange have been born with spina bifida and other abnormalities; and

Whereas, today, only eight hundred thousand Vietnam veterans exposed to Agent Orange are alive, and approximately three hundred deaths occur among them every day; and

Whereas, while fallen comrades are memorialized at the Vietnam Veterans Memorial in Washington, D.C., those veterans who are victims of Agent Orange are not recognized as fatalities of the Vietnam War; and

Whereas, it is most appropriate that we should honor these veterans to the full extent of our ability, as they have made untold and innumerable sacrifices to preserve the liberties we enjoy today and that our progeny will hopefully continue to cherish for generations to come. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to establish a commemorative military service medal to be known as the '' Agent Orange Veterans Service Medal'' to honor and recognize the victims of Agent Orange during the Vietnam War for their courageous service to our Nation as some of America's most heroic citizens; and be it further.

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the United States Congress and to each member of the Louisiana congressional delegation.

POM–70. A joint resolution adopted by the Legislature of the State of Oklahoma making an application to the United States Congress, as provided by Article V of the United States Constitution, to call a convention limited to proposing an amendment to the United States Constitution to set a limit on the number of terms that a person may be elected as a Member of the United States House of Representatives and to set a limit on the number of terms a person may be elected as a Member of the United States Senate; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 1032

Section 1. The Oklahoma Legislature of Oklahoma hereby makes an application to Congress, as provided by Article V of the Constitution of the United States of America, to call a convention limited to proposing an amendment to the Constitution of the United States of America to set a limit on the number of terms that a person may be elected as a Member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a Member of the United States Senate.

Section 2. The Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the Senate of the United States and to the Speaker, Clerk and Judiciary Committee Chairman of the House of Representatives of the Congress of the United States, and copies to the members of the said Senate and House of Representatives from this State; also to transmit copies hereof to the presiding officers of each of the legislative houses in the several States, requesting their cooperation.

Section 3. This application shall be considered as covering the same subject matter as the applications from other States to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject.

Section 4. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States of America until the legislatures of at least two-thirds of the several states have made applications on the same subject.

POM–71. A joint resolution adopted by the Legislature of the State of Oklahoma making an application to the United States Congress, as provided by Article V of the United States Constitution, to call a convention limited to proposing an amendment to the United States Constitution to set a limit on the number of terms that a person may be elected as a Member of the United States House of Representatives and to set a limit on the number of terms a person may be elected as a Member of the United States Senate; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 1032

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Section 3. This application shall be considered as covering the same subject matter as the applications from other States to Congress to call a convention to set a limit on the number of terms that a person may be elected to the House of Representatives of the Congress of the United States and the Senate of the United States; and this application shall be aggregated with same for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject, but shall not be aggregated with any other applications on any other subject.

Section 4. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States of America until the legislatures of at least two-thirds of the several states have made applications on the same subject.

POM–72. A joint resolution adopted by the Legislature of the State of Colorado urging and requesting the United States government to take action to preserve and enhance American leadership in space; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 23–007

Whereas, Our nation significantly benefitted from technological and scientific advancements resulting from space exploration and aerospace activities; and

Whereas, Colorado ranks first in the nation for aerospace employment concentration; and

Whereas, There are over 34,000 Coloradans who are directly employed in aerospace, with the aerospace cluster supporting over 240,000 jobs; and

Whereas, Colorado is home to the nation's top aerospace companies, including Ball Aerospace, Boeing, L3Harris, Lockheed Martin Space, Maxar Technologies, Northrop Grumman, Raytheon, Sierra Space, and United Launch Alliance, and close to 500 additional companies that support the aerospace sector by providing services and developing products, including spacecraft, launch vehicles, satellites, command and control software, sensors, and navigation operations; and

Whereas, Colorado is a strategic location for national space and cyber activity, with five key military commands: North American Aerospace Defense Command (NORAD), the United States Northern Command, the United States Strategic Command's Joint Functional Component Command for Space Missile Warning Center, the United States Space Command, and the United States Army Space and Missile Defense Command/Army Forces Strategic Command, as well as three space-related United States Space Force bases: Buckley, Peterson, and Schriever; and

Whereas, The United States Air Force Academy, along with Colorado's colleges and universities, including the University of Colorado Boulder, University of Colorado Colorado Springs, Colorado School of Mines, Colorado State University, Metropolitan State University of Denver, University of Denver, Colorado Mesa University, and Fort Lewis College, provides access to world-class aerospace-related degrees and offers aerospace companies one of the country's most educated workforces; and

Whereas, Various organizations are key to Colorado's prominence in aerospace, such as the American Institute of Aeronautics and Astronautics, the world's largest aerospace technical society; the Colorado Space Coalition, a group of industry stakeholders working to grow and promote Colorado as a center of excellence for aerospace; the Colorado chapter of Citizens for Space Exploration, housed within the Colorado Business Roundtable, whose mission is to promote better understanding of aerospace and its importance in our economy and daily lives, as well as promoting the importance of human space exploration; and the Colorado Space Business Roundtable, an organization that works to convene stakeholders from industry, government, and academia to advance aerospace business and workforce opportunities throughout the state. Together these organizations form the Colorado chapter of the Aerospace States Association, a nonpartisan organization of lieutenant governors and associate members from aerospace organizations and academia who represent states' interests in federal aerospace and aviation policy development led by Colorado Lieutenant Governor Dianne Primavera; and

Whereas, In addition, the Colorado Air and Space Port, located east of the Denver International Airport, seeks to serve as America's hub for commercial space transportation, research, and development; this horizontal launch facility will have the potential to become the foundation for a global suborbital transportation network connecting Colorado globally. Now, therefore, be it

Resolved by the Senate of the Seventy-fourth General Assembly of the State of Colorado, the House of Representatives concurring herein: That we, the members of the Colorado General Assembly:

(1) Strongly urge and request the government of the United States of America to take action to preserve and enhance American leadership in space, spur innovation, and ensure our continued national and economic security by supporting space exploration and activities, including sending United States astronauts (including the first female and first person of color who will walk on the Moon) under NASA's Artemis program, which launched its successful uncrewed test flight on November 16, 2022. Hundreds of Colorado companies worked to make Artemis I a success, including Boeing, which built the Space Launch System rocket; United Launch Alliance, which built the Interim Cryogenic Propulsion system, the second stage that propelled Orion into orbit around the Moon; and Lockheed Martin Space, which designed and built the Orion spacecraft for NASA in Colorado, which traveled 1.4 million miles beyond the Moon and back;

(2) Recognize and appreciate Colorado's space and aerospace companies and organizations, especially the growing membership and activities of the Colorado chapter of Citizens for Space Exploration, in partnership with the Colorado Business Roundtable, whose activities to promote space exploration are helping to increase public understanding and enthusiasm for exploration funding;

(3) Recognize and appreciate the exciting new innovations coming this year with the inaugural flight of the United Launch Alliance Vulcan Centaur rocket; Boeing's CST–100 Starliner crew test flight to the International Space Station; and the Sierra Space Dream Chaser, the world's only winged commercial spaceplane, which will also travel to the International Space Station. Both the Starliner and Dream Chaser will launch atop a United Launch Alliance rocket;

(4) Express our most sincere and deepest appreciation to the men and women working in our military installations in Colorado; and

(5) Hereby declare March 13, 2023, to be ''Colorado Aerospace Day''.

Be it Further *Resolved,* That copies of this Joint Resolution be sent to President Joseph Biden, Jr.; Vice President Kamala Harris; Speaker of the House of Representatives Kevin McCarthy; House Minority Leader Hakeem Jeffries; Senate Majority Leader Charles Schumer; Senate Minority Leader Mitch McConnell; Senator John Hickenlooper; Senator Michael Bennet; Congresswoman Diana DeGette; Congressman Joe Neguse; Congresswoman Lauren Boebert; Congressman Ken Buck; Congressman Doug Lamborn; Congressman Jason Crow; Congresswoman Brittany Pettersen; Congresswoman Yadira Caraveo; Bill Nelson, NASA Administrator; Billy Nolen, Administrator, Federal Aviation Administration; Governor Jared Polis; Lieutenant Governor and Co-chair, Colorado Space Coalition, Dianne Primavera; Brigadier General Laura Clellan, Adjutant General of Colorado; General James Dickinson, Commander, U.S. Space Command; Colonel Marcus Jackson, Buckley Garrison Commander, Buckley Space Force Base; Dr. Christopher Scolese, Director, National Reconnaissance Office; Ross B. Garelick Bell, Executive Director, Aerospace States Association; Thomas E. Zelibor, Chief Executive Officer, Space Foundation; Alexandra Dukes, Section Chair, American Institute of Aeronautics and Astronautics Rocky Mountain Section; Dr. Ronald M. Sega, Co-chair, Colorado Space Coalition; Michael Gass, Co-chair, Colorado Space Coalition; Bob Cone, Chair, Colorado Space Business Roundtable; Christie Lee and Stacey DeFore, Co-Chairs, Colorado Citizens for Space Exploration; Jeff Kloska, Director, Colorado Air and Space Port; and Debbie Brown, President, Colorado Space Business Roundtable.

POM–73. A resolution adopted by the Senate of the State of California respectfully calling upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 28

Whereas, Armenians have resided in Asia Minor and the Caucasus for approximately four millennia and have a long and rich history in the region, including the establishment of many kingdoms. Despite Armenians' historic presence, stewardship, and autonomy in the region, Turkish rulers of the Ottoman Empire and the Republic of Turkey subjected Armenians to severe and unjust persecution and brutality; and

Whereas, Ottoman Turkish political leaders, succeeded by the leaders of the Young Turk Revolution of 1908, promoted a pan-Turkic agenda to unite the Turkic populations of the Ottoman Empire and the Russian Empire by annihilating the non-Turkic Armenian, Greek, and Assyrian minorities in the region, an agenda that continues to this day; and

Whereas, The Armenian population was a victim of a series of massacres, namely the Hamidian massacres between 1894 and 1896 and the Adana massacre of 1909, at the hands of Ottoman Turkey; and

Whereas, The Armenian nation was subjected to a systematic and premeditated genocide at the hands of the Young Turk government of the Ottoman Empire from 1915 to 1919. The genocide officially began on April 24, 1915, and continued at the hands of the Kemalist Movement of Turkey from 1920 to 1923; and

Whereas, Over 1,500,000 Armenian men, women, and children were slaughtered or marched to their deaths in an effort to annihilate the Armenian nation in the first genocide of modern times, thousands of surviving Armenian women and children were forcibly converted and Islamized, and hundreds of thousands more were subjected to ethnic cleansing during the period of the modern Republic of Turkey from 1924 to 1937; and

Whereas, During the genocides of the Christians living in the Ottoman Empire and surrounding regions, in addition to the 1,500,000 men, women, and children of Armenian descent, hundreds of thousands of Assyrians, Greeks, and other Christians lost their lives at the hands of the Ottoman Turkish Empire and the Republic of Turkey, thereby constituting one of the most atrocious violations of human rights and crimes against humanity in the history of the world; and

Whereas, The Republic of Azerbaijan also carried out massacres in Shushi, Baku, Ghaibalishen, Jamilli, Karkijahan, and Pahlul between 1918 and 1920; and

Whereas, These crimes against humanity also had the consequence of permanently removing all traces of the Armenians and other targeted people from their historic homelands of more than four millennia and enriching the perpetrators with the lands and other property of the victims of these crimes, including through the usurpation of several thousand churches and cultural institutions; and

Whereas, In response to the genocide and at the behest of President Woodrow Wilson and the United States State Department, the Near East Relief organization was founded and became the first congressionally sanctioned American philanthropic effort created exclusively to provide humanitarian assistance to, and to rescue from annihilation, the Armenian nation and other Christian minorities. Those who were rescued went on to survive and thrive outside of their ancestral homeland all over the world and specifically in this state; and

Whereas, Near-East Relief succeeded, with the active participation of the citizens from this state, in delivering $117,000,000 in assistance and in saving more than 1,000,000 refugees, including 132,000 orphans, between 1915 and 1930, by delivering food, clothing, and materials for shelter and by setting up refugee camps, clinics, hospitals, and orphanages; and

Whereas, The Armenian nation survived the genocide despite the attempt by the Ottoman Empire to exterminate it; and

Whereas, In 1923, Soviet leader Josef Stalin, utilizing a strategy to divide and conquer ethnic minorities in the former Russian Empire, proclaimed the ancient Armenian region of Artsakh, populated almost entirely by ethnic Armenians, as the Nagorno-Karabakh Autonomous Oblast of the Azerbaijani Soviet Socialist Republic; and

Whereas, In 1924, Soviet leader Josef Stalin, in furtherance of the same strategy, created an Azerbaijani exclave on the ancient Armenian lands of Nakhichevan, which was subsequently ethnically cleansed of all Armenians and rendered devoid of Armenian cultural presence through the deliberate destruction of thousands of Armenian antiquities, cross-stones, and artifacts; and

Whereas, Adolf Hitler, in, persuading his army commanders that the merciless persecution and killing of Jews, Poles, and other people would bring no retribution, declared, ''Who, after all, speaks today of the annihilation of the Armenians?''; and

Whereas, On November 4, 1918, immediately after the collapse of the Young Turk regime and before the founding of the Republic of Turkey by Mustafa Kemal Atatürk in 1923, the Ottoman Parliament considered a motion on the crimes committed by the Committee of Union and Progress (CUP) stating: ''A population of one million people guilty of nothing except belonging to the Armenian nation were massacred and exterminated, including even women and children.'' The Minister of Interior at the time, Fethi Bey, responded by telling the Parliament: ''It is the intention of the government to cure every single injustice done up until now, as far as the means allow, to make possible the return to their homes of those sent into exile, and to compensate for their material loss as far as possible''; and

Whereas, The Parliamentary Investigative Committee proceeded to collect relevant documents describing the actions of those responsible for the Armenian mass killings and turned them over to the Turkish Military Tribunal. CUP's leading figures were found guilty of massacring Armenians and hanged or given lengthy prison sentences. The Turkish Military Tribunal requested that Germany extradite to Turkey the masterminds of the massacres who had fled the country. After German refusal, they were tried in absentia and sentenced to death; and

Whereas, On August 1, 1926, in an interview published in the Los Angeles Examiner, Mustafa Kemal Atatürk admitted: ''These left-overs from the former Young Turk Party, who should have been made to account for the lives of millions of our Christian subjects who were ruthlessly driven en masse from their homes and massacred, have been restive under the Republican rule. They have hitherto lived on plunder, robbery and bribery and become inimical to any idea or suggestion to enlist in useful labor and earn their living by the honest sweat of their brow''; and

Whereas, From 1988 to 1990, the Armenian population in Soviet Azerbaijan was also the target of racially motivated pogroms in the Cities of Sumgait (February 27 to 29, 1998), Kirovabad (November 21 to 27, 1988) and Baku (January 13 to 19, 1990); and

Whereas, Eighty-nine medieval churches, 5,840 ornate cross-stones (khachkars), and 22,000 tombstones in the formerly Armenian region of Nakhichevan were systematically and covertly eradicated by the Azerbaijani government from 1997 to 2006 in order to erase the region's indigenous Armenian trace; and

Whereas, Having suffered racial and economic discrimination under the Soviet Azerbaijani occupation, the citizens of the Nagorno-Karabakh Autonomous Region declared their independence from the USSR in 1991 and established the free, independent, and democratic Republic of Artsakh through a referendum held in accordance with the constitution and laws of the Soviet Union, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, and the principles of the International Covenant on Civil and Political Rights; and

Whereas, Unlike other people and governments that have admitted and denounced the abuses and crimes of predecessor regimes, and despite the Turkish government's earlier admissions and the overwhelming proof of genocidal intent, the Republic of Turkey inexplicably and adamantly has denied the occurrence of the crimes against humanity committed by the Ottoman and Young Turk rulers for many years, and continues to do so more than a century since the first crimes constituting genocide occurred; and

Whereas, The Republic of Turkey continues its genocidal policy by showing no remorse for the crime and engages in the final stage of genocide by denying the veracity of the crimes perpetrated against the Armenian, Greek, and Assyrian nations; and

Whereas, Those denials compound the grief of the few remaining survivors and deprive the surviving Armenian nation of its individual and collective ancestral lands, property, cultural heritage, financial assets, and population growth; and

Whereas, The Republic of Turkey has escalated its international campaign of Armenian Genocide denial, maintained its blockade of Armenia, and increased its pressure on the small but growing movement in Turkey acknowledging the Armenian Genocide and seeking justice for this systematic campaign of destruction of millions of Armenians, Greeks, Assyrians, and other Christians upon their homelands; and

Whereas, Those citizens of Turkey, both Armenian and non-Armenian, who continue to speak the truth about the Armenian Genocide, such as human rights activist and journalist Hrant Dink, continue to be silenced by violent means or imprisonment, in part due to a Turkish law that criminalizes any expression that is considered to be insulting to the Turkish identity; and

Whereas, There is continued concern about the welfare of Christians in the Republic of Turkey, their right to worship and practice freely, and the legal status and condition of thousands of ancient Armenian churches, monasteries, cemeteries, and other historical and cultural structures, sites, and antiquities in the Republic of Turkey; and

Whereas, The United States is on record as having officially recognized the Armenian Genocide in the United States government's May 28, 1951, written statement to the International Court of Justice regarding the Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, through President Ronald Reagan's April 22, 1981, Proclamation No. 4838, and by congressional legislation, including House Joint Resolution 148 adopted on April 9, 1975, and House Joint Resolution 247 adopted on September 12, 1984; and

Whereas, Prior to the Convention on the Prevention and Punishment of the Crime of Genocide, the United States had a record of seeking just and constructive means to address the consequences of the Ottoman Empire's intentional destruction of the Armenian people, including through United States Senate Concurrent Resolution 12 adopted on February 9, 1916, United States Senate Resolution 359 adopted on May 11, 1920, and President Woodrow Wilson's November 22, 1920, decision titled, ''The Frontier between Armenia and Turkey,'' which was issued as a legally binding arbitral award, but has not been enforced to this date; and

Whereas, The Republics of Armenia and Artsakh are bastions of freedom, liberty, and democracy in the region; and

Whereas, Artsakh, also known as Nagorno-Karabakh, has never been a part of the independent Republic of Azerbaijan in that it proclaimed its independence before the fall of the Soviet Union and before Azerbaijan did the same; and

Whereas, The Republics of Turkey and Azerbaijan proclaim each other as ''one nation, two states''; and

Whereas, The Republic of Turkey. has long served as a destabilizing force in the region by illegally blockading the Republic of Armenia, targeting minority groups in Turkey, and invading and occupying the sovereign territories of the Syrian Arab Republic, among other gross violations of international law; and

Whereas, The Republic of Turkey directly supported Azerbaijan during the 2020 Nagorno-Karabakh War through the recruitment and deployment of mercenary terrorists and the supply of military equipment and senior military personnel used by Azerbaijan to commit war crimes and crimes against humanity against the Armenians of the Republic of Nagorno-Karabakh, including ISIS-style beheadings of Armenian senior citizens; and

Whereas, These international crimes against humanity still need to be prosecuted under the jurisdiction of international legal institutions; and

Whereas, Azerbaijan has continuously invaded and occupied the sovereign territories of the Republic of Armenia since May 2021, harmed or killed civilians, and destroyed critical infrastructure; and

Whereas, Azerbaijan began, on December 12, 2022, an illegal blockade of the Lachin corridor, the road of life connecting Artsakh to the world through Armenia, that has deprived 120,000 Armenians of food, medicine, gas, electricity, and in internet connectivity; and

Wherfas, California is home to the largest Armenian American population in the United States, and Armenians living in California have enriched our state through their leadership and contribution in business, agriculture, academia, government, and the arts. Many of them have family members who experienced firsthand the horror and evil of the Armenian Genocide and its ongoing denial; and

Whereas, Every person should be made aware and educated about the Armenian Genocide and other crimes against humanity; and

Whereas, The State of California has been at the forefront of encouraging and promoting a curriculum relating to human

rights and genocide in order to empower future generations to prevent the recurrence of genocide: and

Whereas, April 24, 1915, is globally observed and recognized as the commencement of the, Armenian Genocide; and

Whereas, The Armenian Genocide has been officially recognized by the United States Congress in 2019 with the adoption of House Resolution 296 and Senate Resolution 150, officially reaffirming the United States' record on the Armenian Genocide; and

Whereas, Both resolutions set, as a matter of United States policy, to (1) commemorate the Armenian Genocide through official recognition and remembrance; (2) reject efforts to enlist, engage, or otherwise associate the United States government with denial of the Armenian Genocide or any other genocide; and (3) encourage education and public understanding of the facts of the Armenian Genocide, including the United States' role in the humanitarian relief effort and the relevance of the Armenian Genocide to modern-day crimes against humanity; and

Whereas, President Joseph Biden affirmed the United States' record on the recognition of the Armenian Genocide on April 24, 2021, and in doing so noted that recognition is a step ''to ensure that what happened is never repeated''; and

Whereas, The Senate encourages the United States government to halt all military assistance to Azerbaijan while it continues Turkey's annihilation of ethnic Armenians in both Nagorno-Karabakh, which is also known as Artsakh, and Armenia; and

Whereas, We must encourage education and public understanding of the facts of the Armenian Genocide, including the United States' role in the humanitarian relief effort, and the relevance of the Armenian Genocide to modern-day crimes against humanity; and

Whereas, Armenians in California and throughout the world have not been provided with justice for the crimes perpetrated against the Armenian nation despite the fact that over a century has passed since the crimes were first committed: and

Whereas, The Armenian people in California and throughout the world remain resolved and their spirit continues to thrive more than a century after their near annihilation; and

Whereas, By recognizing and consistently remembering the Armenian Genocide and other genocides, we help protect cultural and historic memory and ensure that similar atrocities do not occur again; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate hereby designates the year of 2023 as ''State of California Year of Commemoration of the Anniversary of the Armenian Genocide of 1915–1923'' and in doing so, intends, through the enactment of legislation, that the Armenian Genocide is properly commemorated and taught to its citizens and visitors through statewide educational and cultural events; and be it further

Resolved, That the Senate hereby designates the month of April 2023 as ''State of California Month of Commemoration of the 108th Anniversary of the Armenian Genocide of 1915–1923''; and be it further

Resolved, That the Senate commends its conscientious educators who teach about human rights and genocide, and intends for them, through the enactment of legislation, to continue to enhance their efforts to educate students at all levels about the experience of the Armenians and other crimes against humanity; and be it further

Resolved, That the Senate hereby commends the extraordinary service that was delivered by Near East Relief to the survivors of the Armenian Genocide and the Assyrian Genocide, including thousands of direct beneficiaries of American philanthropy who are the parents, grandparents, and great-grandparents of many Californian Armenians and Assyrians, and pledges its intent, through the enactment of legislation, to working with community groups, nonprofit organizations, citizens, state personnel, and the community at large to host statewide educational and cultural events; and be it further

Resolved, That the Senate deplores the persistent, ongoing efforts by any person, in this country or abroad, to deny the historical fact of the Armenian Genocide; and be it further

Resolved, That the Senate respectfully calls upon the President and the Congress of the United States to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide; and be it further

Resolved, That the Senate calls on the President of the United States to work award equitable, constructive, stable, and durable Armenian-Turkish relations; and be it further

Resolved, That the Senate calls on the President and the Congress of the United States, in all official contacts with Turkish and other world leaders and officials, to emphasize that Turkey should:

(1) End all forms of religious discrimination and persecution;

(2) Allow the rightful historical church and lay owners of Christian and other church properties, without hindrance or restriction, to organize and administer prayer services, religious education, clerical training, appointments, and succession, religious community gatherings, social services, including ministry to the needs of the poor and infirm, and other religious activities;

(3) Return to their rightful owners all historical Christian and other churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties, including movable properties, such as artwork, manuscripts, vestments, vessels, and other artifacts;

(4) Allow the rightful Christian and other church and lay owners of church properties, without hindrance or restriction, to preserve, reconstruct, and repair, as they see fit, all churches and other places of worship, monasteries, schools, hospitals, monuments, relics, holy sites, and other religious properties within Turkey; and be it further

Resolved, That in light of the impending ethnic cleansing and genocide of the Armenians in Artsakh, the Senate calls upon the President of the United States to ensure the rights of the Armenians of Nagorno-Karabakh to extraterritorial self-determination (independence) in accordance with the principle of remedial succession and the global commitment to Responsibility to Protect (R2P); and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, to each Senator and Representative from California in the Congress of the United States, to the Governor of California, to every Member of the California State Legislature, and to the Superintendent of Public Instruction.

POM–74. A joint resolution adopted by the Legislature of the State of South Carolina applying to the United States Congress to call a convention for proposing amendments pursuant to Article V of the United States Constitution limited to proposing amendments that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 3205

Whereas, the founders of our constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending; and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

Whereas, it is the solemn duty of the states to protect the liberty of our people—particularly for the generations to come—by proposing amendments to the Constitution of the United States through a convention of the states under Article V for the purpose of restraining these and related abuses of power. Now, therefore, be it

Enacted by the General Assembly of the State of South Carolina:

APPLICATION FOR CALLING A CONVENTION OF THE STATES

Section 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

DISTRIBUTION OF COPIES

Section 2. The Clerks of the South Carolina House of Representatives and the South Carolina Senate shall transmit copies of this resolution to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the members of the South Carolina Congressional Delegation, and the presiding officers of each of the legislative houses in the several states, attesting to the enactment of this joint resolution by the South Carolina General Assembly and requesting cooperation.

JOINT RESOLUTION CONSTITUTES A CONTINUING APPLICATION

Section 3. This joint resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

TIME EFFECTIVE

Section 4. This joint resolution takes effect upon approval by the Governor House.

POM–75. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to improve the mental health of military veterans by supporting exposure to nature with the designation of ''Get Outside Day''; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to improve the mental health of military veterans by supporting exposure to nature with the designation of ''Get Outside Day''.

Whereas, mental health is a top priority both at the federal and state government level; and

Whereas, mental health issues affect different groups, in particular, our vulnerable military veterans; and

Whereas, countless military veterans return home suffering from post-traumatic stress disorder, traumatic brain injury, anxiety, and depression; and

Whereas, the onset of certain mental health conditions have increased substance abuse and decreased social interaction; and

Whereas, military veterans have disproportionally high rates of suicide; and

Whereas, studies show that exposure to nature has a positive and therapeutic impact on mental health and the psychological conditions that are related to suicides; and

Whereas, the enjoyment of a single day outside can lead to increased mobility and renewed therapy for psychological impediments and correspond to a decrease in suicides; and

Whereas, the Louisiana Naval War Memorial Commission in conjunction with the Military Veterans Advocacy agree to sponsor ''Get Outside Day'' at the USS Kidd Veterans Museum. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to designate the second Saturday in June as ''Get Outside Day'' at the federal government level; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BROWN, from the Committee on Banking, Housing, and Urban Affairs, with amendments:

S. 2860. A bill to create protections for financial institutions that provide financial services to State-sanctioned marijuana businesses and service providers for such businesses, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. DURBIN for the Committee on the Judiciary.

Richard E.N. Federico, of Kansas, to be United States Circuit Judge for the Tenth Circuit.

Joshua Paul Kolar, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

Jeffrey M. Bryan, of Minnesota, to be United States District Judge for the District of Minnesota.

Deborah Robinson, of New Jersey, to be Intellectual Property Enforcement Coordinator, Executive Office of the President.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. VANCE:

S. 2962. A bill to repeal tax incentives relating to electric vehicles, and to establish a tax credit to promote automobile manufacturing in the United States; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. WICKER, Mr. PETERS, Mrs. HYDE-SMITH, Mr. MORAN, and Mr. VAN HOLLEN):

S. 2963. A bill to amend the Internal Revenue Code of 1986 to provide a credit for investment in Community Development Financial Institutions; to the Committee on Finance.

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

S. 2964. A bill to amend title 36, United States Code, to grant a Federal charter to the Veterans Association of Real Estate Professionals, and for other purposes; to the Committee on the Judiciary.

By Mr. WYDEN:

S. 2965. A bill to establish a critical mineral environmental processing and mining cleanup program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN (for himself, Mr. BOOKER, Mrs. BLACKBURN, Mr. BLUMENTHAL, and Mr. WICKER):

S. 2966. A bill to amend the Public Health Service Act to encourage programs to address college athlete mental health; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself, Mr. WARNER, Mr. MORAN, Ms. COLLINS, Mrs. GILLIBRAND, Mr. ROUNDS, and Mr. BENNET):

S. 2967. A bill to amend the Internal Revenue Code of 1986 to expand the treatment of moving expenses to employees and new appointees in the intelligence community who move pursuant to a change in assignment that requires relocation, and for other purposes; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mr. TILLIS, Mr. CASSIDY, Mr. CRUZ, Mr. RUBIO, and Ms. MURKOWSKI):

S. 2968. A bill to reauthorize the National Flood Insurance Program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ:

S. 2969. A bill to ensure that United States diplomats and officials of the U.S. Section of the International Boundary and Water Commission are able to advance efforts seeking compliance by the United Mexican States with the 1944 Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande; to the Committee on Foreign Relations.

By Mr. HEINRICH (for himself, Mr. LUJÁN, Mr. PADILLA, Ms. SMITH, Mr. KAINE, Ms. WARREN, Mr. MERKLEY, Ms. DUCKWORTH, Mr. SCHATZ, Mr. HICKENLOOPER, Ms. HIRONO, Mr. SANDERS, and Mr. BOOKER):

S. 2970. A bill to amend title 5, United States Code, to designate Indigenous Peoples' Day as a legal public holiday, to replace the term ''Columbus Day'' with the term ''Indigenous Peoples' Day'', and for other purposes; to the Committee on the Judiciary.

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

S. 2971. A bill to remove barriers to the ability of unhoused individuals to register to vote and vote in elections for Federal office, and for other purposes; to the Committee on Rules and Administration.

By Mr. LEE:

S. 2972. A bill to require the Secretary of the Interior to repay States for amounts expended by States to operate units of the National Park System during a Government shutdown; to the Committee on Energy and Natural Resources.

By Mr. WYDEN:

S. 2973. A bill to amend titles XVIII and XIX of the Social Security Act to establish requirements relating to pharmacy benefit managers under the Medicare and Medicaid programs, and for other purposes; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. LANKFORD, Mrs. HYDE-SMITH, Mr. SCOTT of Florida, Mr. WICKER, and Mr. BRAUN):

S. 2974. A bill to require public institutions of higher education to disseminate information on the rights of, and accommodations and resources for, pregnant students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2975. A bill to amend title 38, United States Code, to improve payment and processing of payments or allowances for beneficiary travel, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BOOKER:

S. 2976. A bill to ensure that expenses relating to the acquisition or use of devices for use in the detection of fentanyl, xylazine, and other emerging adulterant substances, including test strips are allowable expenses under certain grant programs; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2977. A bill to direct the Secretary of Commerce and the Comptroller General of the United States to study the feasibility of Historically Black Colleges and Universities achieving a certain classification; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN:

S. 2978. A bill to authorize funding for the establishment and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY:

S. 2979. A bill to increase the rate of duty on shrimp originating from India, and for other purposes; to the Committee on Finance.

By Mr. MARKEY:

S. 2980. A bill to amend title 49, United States Code, to eliminate the requirement for cost-benefit analyses in the establishment of minimum safety standards for pipeline transportation and pipeline facilities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LANKFORD:

S. 2981. A bill to require review of tax regulatory actions by the Office of Information and Regulatory Affairs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BOOKER (for himself, Mr. CRUZ, Mr. LEE, Mr. WELCH, Mr. TILLIS, and Mr. COONS):

S. 2982. A bill to require a GAO study on the sale of illicit drugs online, and for other purposes; to the Committee on the Judiciary.

By Mr. CRUZ (for himself, Mr. COTTON, Mr. BUDD, Mr. HAWLEY, and Mr. BRAUN):

S. 2983. A bill to prohibit the use of the facilities of a public elementary school, a public secondary school, or an institution of higher education receiving funding from the Department of Education to provide shelter for aliens who have not been admitted into the United States; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH (for herself, Ms. WARREN, and Mr. MARKEY):

S. 2984. A bill to establish uniform accessibility standards for websites and applications of employers, employment agencies, labor organizations, joint labor-management committees, public entities, public accommodations, testing entities, and commercial providers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. BOOKER, Ms. HIRONO, Mr. MARKEY, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. WYDEN, Ms. BALDWIN, and Mr. SANDERS):

S. 2985. A bill to expand youth access to voting, and for other purposes; to the Committee on Rules and Administration.

By Mr. CASSIDY (for himself, Ms. LUMMIS, Mrs. HYDE-SMITH, Mrs. BRITT, Mr. WICKER, Mr. TUBERVILLE, and Mr. BARRASSO):

S. 2986. A bill to prohibit the issuance of an interim or final rule, and to prohibit the inclusion in certain oil and gas leases, exploration or development plans, or well permits requirements or recommendations, that establish a vessel speed or operational restriction in the Central or Western Planning Area of the Gulf of Mexico of the outer Continental Shelf until the Secretary of the Interior and the Secretary of Commerce complete a study demonstrating that proposed mitigation efforts would have no negative impact on supply chains, United States offshore energy production and generation, military activities, including readiness, and United States commercial and recreational fishing maritime commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 2987. A bill to amend the Farm Security and Rural Investment Act of 2002 to improve biorefinery, renewable chemical, and biobased product manufacturing assistance, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 2988. A bill to establish a Green New Deal for public schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself, Ms. MURKOWSKI, and Mrs. SHAHEEN):

S. 2989. A bill to provide for eligibility for E–1 and E–2 nonimmigrant visas for nationals of Iceland; to the Committee on the Judiciary.

By Mr. BRAUN:

S. 2990. A bill to establish the Benjamin Harrison National Recreation Area and Wilderness in the State of Indiana, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MANCHIN (for himself, Mr. BARRASSO, Mr. KING, and Mr. MARSHALL):

S. 2991. A bill to improve revegetation and carbon sequestration activities in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASSIDY (for himself, Mrs. HYDE-SMITH, Ms. ERNST, Mr. BOOZMAN, Mr. WICKER, and Mr. TUBERVILLE):

S. 2992. A bill to require the establishment of a joint task force to identify and eliminate barriers to agriculture exports of the United States; to the Committee on Finance.

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

S. 2993. A bill to amend the Social Security Act and the Public Health Service Act to permanently authorize certified community behavioral health clinics, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL (for herself, Ms. MURKOWSKI, Mr. SULLIVAN, Ms. STABENOW, Mr. KING, Mr. TILLIS, and Mrs. GILLIBRAND):

S. 2994. A bill to amend the Internal Revenue Code of 1986 to support upgrades at existing hydroelectric dams in order to increase clean energy production, improve the resiliency and reliability of the United States electric grid, enhance the health of the Nation's rivers and associated wildlife habitats, and for other purposes; to the Committee on Finance.

By Mr. VAN HOLLEN (for himself and Mr. ROMNEY):

S. 2995. A bill to amend the Taiwan Allies International Protection and Enhancement Initiative (TAIPEI) Act of 2019 to provide that the United States, as a member of any international organizations, should oppose any attempts by the People's Republic of China to resolve Taiwan's status by distorting the decisions, language, policies, or procedures of the organization, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. HIRONO (for herself, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FETTERMAN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. MERKLEY, Mr. PADILLA, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN):

S. Res. 378. A resolution expressing support for the recognition of the week of September 25 through October 1, 2023, as ''Asian American and Native American Pacific Islander-Serving Institutions Week''; to the Committee on the Judiciary.

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

S. Res. 379. A resolution expressing support for the diplomatic relations required to encourage the Government of Mexico to fulfill water deliveries on an annual basis to the United States under the Treaty between the United States of America and Mexico respecting the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande; to the Committee on Foreign Relations.

By Mr. GRAHAM (for himself, Mr. BARRASSO, Mrs. BLACKBURN, Mrs. CAPITO, Mr. CORNYN, Mr. COTTON, Mr. CRAMER, Mr. DAINES, Mr. HAGERTY, Mr. HAWLEY, Mrs. HYDE-SMITH, Mr. LANKFORD, Ms. LUMMIS, Mr. RISCH, Mr. RUBIO, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mr. TUBERVILLE, Mr. WICKER, and Mr. YOUNG):

S. Res. 380. A resolution designating the week of October 1, 2023, through October 7, 2023, as ''Religious Education Week'' to celebrate religious education in the United States; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. PADILLA, Ms. HIRONO, Mrs. GILLIBRAND, and Mr. BLUMENTHAL):

S. Res. 381. A resolution supporting the designation of the week of August 28 through September 1, 2023, as ''National Community Health Worker Awareness Week''; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. BOOKER, Mr. BROWN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. FETTERMAN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. PADILLA, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mr. WARNER, and Ms. WARREN):

S. Res. 382. A resolution recognizing the month of October 2023 as Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Mrs. FEINSTEIN):

S. Res. 383. A resolution supporting the goals and ideals of Red Ribbon Week during the period of October 23 through October 31, 2023; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mrs. FISCHER, Mr. BLUMENTHAL, Mr. PADILLA, Mr. VAN HOLLEN, Mr. RUBIO, Mr. CARDIN, and Mrs. FEINSTEIN):

S. Res. 384. A resolution recognizing the seriousness of polycystic ovary syndrome (PCOS) and expressing support for the designation of September 2023 as ''PCOS Awareness Month''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RISCH (for himself, Mr. CARDIN, Mr. TILLIS, Mr. BOOKER, Mr. CASSIDY, Mrs. SHAHEEN, Mr. CRAPO, Mr. KAINE, Ms. COLLINS, Mr. HICKENLOOPER, Mr. SCOTT of Florida, Mr. CASEY, Mr. CORNYN, Mr. VAN HOLLEN, Mr. ROMNEY, Mr. WARNER, Mr. HOEVEN, Mrs. CAPITO, Mr. GRAHAM, Mr. WICKER, Mr. RICKETTS, Mr. SCOTT of South Carolina, Mr. YOUNG, Mr. RUBIO, Mr. CRUZ, Mr. SULLIVAN, and Mr. LANKFORD):

S. Res. 385. A resolution calling for the immediate release of Evan Gershkovich, a United States citizen and journalist, who was wrongfully detained by the Government of the Russian Federation in March 2023; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 42

At the request of Mr. TESTER, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 42, a bill to improve the management and performance of the capital asset programs of the Department of Veterans Affairs so as to better serve veterans, their families, caregivers, and survivors, and for other purposes.

S. 106

At the request of Ms. BALDWIN, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 106, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to award grants to States to improve outreach to veterans, and for other purposes.

S. 133

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 133, a bill to extend the National Alzheimer's Project.

S. 134

At the request of Ms. COLLINS, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 134, a bill to require an annual budget estimate for the initiatives of

the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer's Project Act.

S. 135

At the request of Mr. LANKFORD, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 135, a bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

S. 141

At the request of Mr. MORAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 141, a bill to amend title 38, United States Code, to improve certain programs of the Department of Veterans Affairs for home and community based services for veterans, and for other purposes.

S. 265

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 265, a bill to reauthorize the rural emergency medical service training and equipment assistance program, and for other purposes.

S. 503

At the request of Mrs. FEINSTEIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 503, a bill to establish the Space National Guard.

S. 514

At the request of Mr. BLUMENTHAL, the names of the Senator from Michigan (Mr. PETERS) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 514, a bill to award posthumously the Congressional Gold Medal to Constance Baker Motley, in recognition of her enduring contributions and service to the United States.

S. 740

At the request of Mr. BOOZMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 740, a bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees relating to claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1212

At the request of Mr. CRAMER, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 1212, a bill to authorize notaries public to perform, and to establish minimum standards for, electronic notarizations and remote notarizations that occur in or affect interstate commerce, to require any Federal court to recognize notarizations performed by a notarial officer of any State, to require any State to recognize notarizations performed by a notarial officer of any other State when the notarization was performed under or relates to a public Act, record, or judicial proceeding of notarial officer's State or when the notarization occurs in or affects interstate commerce, and for other purposes.

S. 1274

At the request of Mrs. FISCHER, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1274, a bill to permanently exempt payments made from the Railroad Unemployment Insurance Account from sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985.

S. 1351

At the request of Mr. MERKLEY, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1351, a bill to study and prevent child abuse in youth residential programs, and for other purposes.

S. 1459

At the request of Ms. DUCKWORTH, the name of the Senator from Arizona (Mr. KELLY) was added as a cosponsor of S. 1459, a bill to require the Administrator of the Federal Aviation Administration to issue regulations concerning accommodations for powered wheelchairs, and for other purposes.

S. 1474

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1474, a bill to amend the Food and Nutrition Act of 2008 to establish a dairy nutrition incentive program, and for other purposes.

S. 1667

At the request of Mr. PADILLA, the names of the Senator from Iowa (Ms. ERNST) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1667, a bill to amend the Immigration and Nationality Act to authorize lawful permanent resident status for certain college graduates who entered the United States as children, and for other purposes.

S. 1686

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1686, a bill to establish a community disaster assistance fund for housing and community development and to authorize the Secretary of Housing and Urban Development to provide, from the fund, assistance through a community development block grant disaster recovery program, and for other purposes.

S. 1730

At the request of Mr. CASEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1730, a bill to strengthen the collection of data regarding interactions between law enforcement officers and individuals with disabilities.

S. 1731

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

S. 1979

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Georgia (Mr. OSSOFF) were added as cosponsors of S. 1979, a bill to amend title 9 of the United States Code with respect to arbitration of disputes involving age discrimination.

S. 2026

At the request of Ms. DUCKWORTH, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2026, a bill to provide support for programs of the Department of Veterans Affairs relating to the coordination of maternity health care, and for other purposes.

S. 2067

At the request of Mr. TILLIS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2067, a bill to require the Secretary of Veterans Affairs to award grants to nonprofit organizations to assist such organizations in carrying out programs to provide service dogs to eligible veterans, and for other purposes.

S. 2085

At the request of Mr. CRAPO, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 2085, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of multi-cancer early detection screening tests.

S. 2238

At the request of Mr. WICKER, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 2238, a bill to direct the Assistant Secretary of Commerce for Communications and Information to develop a National Strategy to Close the Digital Divide, and for other purposes.

S. 2243

At the request of Ms. BALDWIN, the names of the Senator from Vermont (Mr. WELCH) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 2243, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools and other programs, including social work, physician assistant, and chaplaincy education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative and hospice care.

S. 2253

At the request of Mr. PADILLA, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor

of S. 2253, a bill to amend the Fair Labor Standards Act of 1938 to provide increased labor law protections for agricultural workers, and for other purposes.

S. 2260

At the request of Mr. CORNYN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 2260, a bill to require transparency in notices of funding opportunity, and for other purposes.

S. 2372

At the request of Mr. GRASSLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2372, a bill to amend title XIX of the Social Security Act to streamline enrollment under the Medicaid program of certain providers across State lines, and for other purposes.

S. 2397

At the request of Mr. SCHMITT, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2397, a bill to amend section 495 of the Public Health Service Act to require inspections of foreign laboratories conducting biomedical and behavioral research to ensure compliance with applicable animal welfare requirements, and for other purposes.

S. 2458

At the request of Ms. KLOBUCHAR, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2458, a bill to amend the Federal Crop Insurance Act to promote crop insurance support for beginning farmers and ranchers, and for other purposes.

S. 2515

At the request of Mr. CARDIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 2515, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 2531

At the request of Mr. SCOTT of Florida, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2531, a bill to improve the communications between social media platforms and law enforcement agencies, to establish the Federal Trade Commission Platform Safety Advisory Committee, and for other purposes.

S. 2581

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2581, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 2644

At the request of Mr. CORNYN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2644, a bill to establish standards for trauma kits purchased using funds provided under the Edward Byrne Memorial Justice Assistance Grant Program.

S. 2662

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2662, a bill to require the Secretary of Agriculture to carry out certain activities relating to research for wood products, and for other purposes.

S. 2702

At the request of Mr. PADILLA, the name of the Senator from New Mexico (Mr. LUJAN) was added as a cosponsor of S. 2702, a bill to amend the Department of Agriculture Reorganization Act of 1994 to reauthorize the position of Farmworker Coordinator.

S. 2703

At the request of Mr. PADILLA, the name of the Senator from New Mexico (Mr. LUJAN) was added as a cosponsor of S. 2703, a bill to amend the Department of Agriculture Reorganization Act of 1994 to establish the Office of the Farm and Food System Workforce.

S. 2736

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 2736, a bill to clarify that section 8526(7) of the Elementary and Secondary Education Act of 1965 does not apply with respect to the use of funds for sports clubs, teams, training, or related activities provided for students.

S. 2757

At the request of Mr. TESTER, the names of the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Mississippi (Mr. WICKER) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 2757, a bill to limit the Secretary of Veterans Affairs from modifying the rate of payment or reimbursement for transportation of veterans or other individuals via special modes of transportation under the laws administered by the Secretary, and for other purposes.

S. 2834

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2834, a bill to combat toxic indoor mold, and for other purposes.

S. 2835

At the request of Mr. SULLIVAN, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. 2835, a bill making continuing appropriations for military pay in the event of a Government shutdown.

S. 2860

At the request of Mr. MERKLEY, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2860, a bill to create protections for financial institutions that provide financial services to State-sanctioned marijuana businesses and service providers for such businesses, and for other purposes.

S. 2861

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2861, a bill to award a Congressional Gold Medal to Billie Jean King, an American icon, in recognition of a remarkable life devoted to championing equal rights for all, in sports and in society.

S. 2902

At the request of Mrs. MURRAY, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2902, a bill to prevent harassment at institutions of higher education, and for other purposes.

S. 2911

At the request of Mr. BRAUN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 2911, a bill to prohibit the President and the Secretary of Health and Human Services from declaring certain emergencies or disasters for the purpose of imposing gun control.

S. 2938

At the request of Mrs. GILLIBRAND, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 2938, a bill to amend the Higher Education Act of 1965 to include child development and early learning as community services under the Federal work-study program, and for other purposes.

S. 2953

At the request of Mr. SCOTT of Florida, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2953, a bill to consolidate or repeal unnecessary agency major rules, and for other purposes.

S. 2955

At the request of Mrs. SHAHEEN, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2955, a bill to designate July 11 as National Day of Remembrance for the Victims of the Srebrenica Genocide.

S. RES. 320

At the request of Mr. PADILLA, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. Res. 320, a resolution calling for the immediate release of Eyvin Hernandez, a United States citizen and Los Angeles County public defender, who was wrongfully detained by the Venezuelan regime in March 2022.

S. RES. 360

At the request of Ms. KLOBUCHAR, the names of the Senator from California (Mr. PADILLA), the Senator from Maine (Ms. COLLINS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. Res. 360, a resolution designating the week of September 25 through September 29, 2023, as ''National Hazing Awareness Week''.

S. RES. 372

At the request of Mr. SCHATZ, the names of the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Pennsylvania (Mr. CASEY), the Senator from New Mexico (Mr. HEINRICH), the Senator from Georgia (Mr. WARNOCK), the Senator from Maine (Mr. KING) and the Senator from Vermont (Mr. WELCH) were added as cosponsors of S. Res. 372, a resolution expressing concern about the spreading problem of book banning and the proliferation of threats to freedom of expression in the United States.

AMENDMENT NO. 1250

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of amendment No. 1250 intended to be proposed to H.R. 4366, a bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 378—EXPRESSING SUPPORT FOR THE RECOGNITION OF THE WEEK OF SEPTEMBER 25 THROUGH OCTOBER 1, 2023, AS ''ASIAN AMERICAN AND NATIVE AMERICAN PACIFIC ISLANDER-SERVING INSTITUTIONS WEEK''

Ms. HIRONO (for herself, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FETTERMAN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MENENDEZ, Mr. MERKLEY, Mr. PADILLA, Ms. ROSEN, Mr. SCHATZ, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 378

Whereas the Asian American and Native American Pacific Islander-Serving Institutions Program was originally established using funds authorized by the College Cost Reduction and Access Act (Public Law 110–84; 121 Stat. 784), which was enacted on September 27, 2007;

Whereas 2023 marks the 16th anniversary of the establishment of Federal funding for Asian American and Native American Pacific Islander-Serving Institutions by Congress;

Whereas Asian American and Native American Pacific Islander-Serving Institutions are degree-granting postsecondary institutions that have an undergraduate enrollment of not less than 10 percent Asian American, Native Hawaiian, and Pacific Islander students;

Whereas the purpose of the Asian American and Native American Pacific Islander-Serving Institutions Program is to improve the availability and quality of postsecondary education programs to serve Asian American, Native Hawaiian, and Pacific Islander students;

Whereas, since 2007, more than 260 colleges and universities throughout the United States, including the United States territories in the Pacific, have been eligible for Federal funding as Asian American and Native American Pacific Islander-Serving Institutions;

Whereas, as of the date of adoption of this resolution, there are 206 eligible Asian American and Native American Pacific Islander-Serving Institutions operating in the United States, including the United States territories in the Pacific;

Whereas, as of the 2022-2023 academic year, 58 Asian American and Native American Pacific Islander-Serving Institutions were receiving or had received Federal funding in the United States, including the United States territories in the Pacific;

Whereas Asian American and Native American Pacific Islander-Serving Institutions are of critical importance, as they enroll, support, and graduate large proportions of Asian American, Native Hawaiian, and Pacific Islander college students, the overwhelming majority of whom are first-generation and from families with low income;

Whereas Asian American and Native American Pacific Islander-Serving Institutions comprise only 6.5 percent of all institutions of higher education, yet enroll 46 percent of all Asian American, Native Hawaiian, and Pacific Islander undergraduate students in the United States, including the United States territories in the Pacific;

Whereas Asian American and Native American Pacific Islander-Serving Institutions employ many of the Asian American, Native Hawaiian, and Pacific Islander faculty, staff, and administrators in the United States;

Whereas Asian American and Native American Pacific Islander-Serving Institutions award more than 50 percent of the associate's degrees and more than 40 percent of the bachelor's degrees attained by all Asian American, Native Hawaiian, and Pacific Islander college students in the United States, including the United States territories in the Pacific;

Whereas more than ½ of federally funded Asian American and Native American Pacific Islander-Serving Institutions maintain an Asian American, Native Hawaiian, and Pacific Islander enrollment of more than 20 percent;

Whereas Asian American and Native American Pacific Islander-Serving Institutions play a vital role in preserving the diverse culture, experiences, heritage, and history of Asian Americans, Native Hawaiians, and Pacific Islanders;

Whereas Asian American and Native American Pacific Islander-Serving Institutions create culturally relevant academic and cocurricular programs, research, and services, which increase student retention, transfer, and graduation rates, while also enhancing the overall educational experiences of Asian American, Native Hawaiian, and Pacific Islander students;

Whereas celebrating the vast contributions of Asian American and Native American Pacific Islander-Serving Institutions strengthens the culture of the United States; and

Whereas the achievements and goals of Asian American and Native American Pacific Islander-Serving Institutions deserve national recognition: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and goals of Asian American and Native American Pacific Islander-Serving Institutions in their work to provide quality educational opportunities to Asian American, Native Hawaiian, Pacific Islander, and other students who attend their institutions;

(2) encourages institutions of higher education that are eligible to receive Federal funding as Asian American and Native American Pacific Islander-Serving Institutions to obtain Federal funding and establish programs to serve the unique needs of Asian American, Native Hawaiian, and Pacific Islander students, families, and communities;

(3) recognizes 2023 as the 16th anniversary of the establishment of the Asian American and Native American Pacific Islander-Serving Institutions Program;

(4) designates the week of September 25 through October 1, 2023, as Asian American and Native American Pacific Islander-Serving Institutions Week; and

(5) calls on the people of the United States, including the United States territories in the Pacific, and interested groups to observe Asian American and Native American Pacific Islander-Serving Institutions Week with appropriate activities, ceremonies, and programs to demonstrate support for Asian American and Native American Pacific Islander-Serving Institutions.

SENATE RESOLUTION 379—EXPRESSING SUPPORT FOR THE DIPLOMATIC RELATIONS REQUIRED TO ENCOURAGE THE GOVERNMENT OF MEXICO TO FULFILL WATER DELIVERIES ON AN ANNUAL BASIS TO THE UNITED STATES UNDER THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND MEXICO RESPECTING THE UTILIZATION OF WATERS OF THE COLORADO AND TIJUANA RIVERS AND OF THE RIO GRANDE

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

S. RES. 379

Whereas the Treaty between the United States of America and Mexico respecting the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 1944 (59 Stat. 1219), commits the Government of the United Mexican States to deliver to the United States a minimum of 350,000 acre-feet of water annually, measured in 5-year cycles requiring 1,750,000 acre-feet of water to be delivered;

Whereas the Government of the United Mexican States has repeatedly failed to deliver the required minimum of 350,000 acre-feet of water annually and 1,750,000 acre-feet of water during each 5-year cycle; and

Whereas such failures have contributed to water shortages for farmers in south Texas: Now, therefore, be it

Resolved, That the Senate—

(1) supports relations between United States diplomats and officials at the United States Section of the International Boundary and Water Commission and counterparts in the United Mexican States to secure compliance by the Government of the United Mexican States with the Treaty between the United States of America and Mexico respecting the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 1944 (59 Stat. 1219)(referred to in this resolution as the ''Treaty'');

(2) encourages the Government of the United Mexican States to fulfill the commitment to annually deliver a minimum of 350,000 acre-feet of water to the United States;

(3) is deeply concerned that farmers in south Texas are experiencing water shortages;

(4) supports negotiations to ensure more predictable and reliable water deliveries to the United States; and

(5) encourages renewed commitments to ensure that the United States receives annual deliveries of at least 350,000 acre-feet of water under the Treaty.

SENATE RESOLUTION 380—DESIGNATING THE WEEK OF OCTOBER 1, 2023, THROUGH OCTOBER 7, 2023, AS ''RELIGIOUS EDUCATION WEEK'' TO CELEBRATE RELIGIOUS EDUCATION IN THE UNITED STATES

Mr. GRAHAM (for himself, Mr. BARRASSO, Mrs. BLACKBURN, Mrs. CAPITO, Mr. CORNYN, Mr. COTTON, Mr. CRAMER, Mr. DAINES, Mr. HAGERTY, Mr. HAWLEY, Mrs. HYDE-SMITH, Mr. LANKFORD, Ms. LUMMIS, Mr. RISCH, Mr. RUBIO, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mr. TUBERVILLE, Mr. WICKER, and Mr. YOUNG) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 380

Whereas the free exercise of religion is an inherent, fundamental, and inalienable right protected by the First Amendment to the Constitution of the United States;

Whereas the United States has long recognized that the free exercise of religion is important to the intellectual, ethical, moral, and civic development of individuals in the United States, as evidenced by the Founders of the United States, such as—

(1) Benjamin Franklin, who believed religion to be ''uniquely capable of educating a citizenry for democracy''; and

(2) George Washington, who said in his farewell address, ''Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.'';

Whereas religious education is useful for self-development because it asks students to consider and respond to questions concerning the meaning and purpose of life, engages students in questions about morality and justice, and enables students to identify their values;

Whereas studies like the one published by the International Journal of Mental Health Systems in 2019 have shown that religious education can be ''instrumental to improving adolescent mental health'' by helping children learn how to make decisions based on morals, promoting less risky choices, and encouraging connectedness within a community, which can enhance self-esteem and well-being;

Whereas religious education fosters respect for other religious groups and individuals generally by acknowledging a source for human dignity and worth;

Whereas the Supreme Court of the United States found in Pierce v. Society of Sisters, 268 U.S. 510 (1925), that the State does not have power ''to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.'';

Whereas religious instruction can come from a variety of sources, including sectarian schools and released time programs;

Whereas, according to the National Center for Education Statistics, in 2015, 4,350,000 children in the United States attended sectarian elementary and secondary schools where those children received religious education; and

Whereas the Supreme Court of the United States held in Zorach v. Clauson, 343 U.S. 306 (1952), that State statutes providing for the release of public school students from school to attend religious classes are constitutional, and, as a result, an estimated 540,000 public school students in the United States take advantage of released time programs each year: Now, therefore, be it

Resolved, That the Senate—

(1) affirms the importance of religious education in the civic and moral development of the people of the United States;

(2) celebrates the schools and organizations that are engaged in religious instruction of the children of the United States to aid those children in intellectual, ethical, moral, and civic development;

(3) calls on each of the 50 States, each territory of the United States, and the District of Columbia to accommodate individuals who wish to be released from public school attendance to attend religious classes; and

(4) designates the week of October 1, 2023, through October 7, 2023, as ''Religious Education Week''.

SENATE RESOLUTION 381—SUPPORTING THE DESIGNATION OF THE WEEK OF AUGUST 28 THROUGH SEPTEMBER 1, 2023, AS ''NATIONAL COMMUNITY HEALTH WORKER AWARENESS WEEK''

Mr. CASEY (for himself, Mr. PADILLA, Ms. HIRONO, Mrs. GILLIBRAND, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 381

Whereas a community health worker is a frontline public health worker who is a trusted member of the community in which the worker serves and has an unusually close understanding of that community that enables the worker to build trusted relationships, serve as a liaison between health and social services and the community, facilitate access to services, improve the quality and cultural competence of service delivery, build individual and community capacity, and increase health knowledge and self-sufficiency through a range of activities such as outreach, community education, informal counseling, social support, and advocacy;

Whereas community health workers are a unique workforce, recognized in 36 States with a professional certification;

Whereas community health workers are a community-based workforce that builds relationships with those around them and helps build treatment capacity in underserved areas;

Whereas community health workers are a historic and diverse workforce that goes back hundreds of years in the United States and reflects the diversity of the country;

Whereas community health workers have been known by many different titles, including community health representatives, promotoras de salud, aunties, peers, and outreach workers;

Whereas community health workers are a cross-sector workforce that connects community members to health care and other social services, reducing barriers to health and well-being;

Whereas community health workers are a proven workforce with decades of research documenting effectiveness in maternal and child health, chronic disease interventions, immunization, oral health, HIV, primary care, and many other disciplines and have a documented return on investment for many programs;

Whereas sustainable funding of community health workers supports fair market wages and enhanced recruitment and retention of the workforce;

Whereas community health workers fulfill a wide range of roles, including—

(1) providing cultural mediation among individuals, communities, and health and social service systems;

(2) offering culturally appropriate health education and information;

(3) offering care coordination, case management, and system navigation;

(4) providing coaching and social support;

(5) advocating for individuals and communities;

(6) building individual and community capacity;

(7) providing direct service;

(8) implementing individual and community assessments;

(9) conducting outreach; and

(10) participating in evaluation and research; and

Whereas community health worker networks are statewide, regional, or local associations or coalitions with leadership and membership that are composed of at least 50 percent community health workers, promotoras, or community health representatives and whose activities include training, workforce development, mentoring, and other initiatives to support community health worker, promotora, and community health representative programs: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Community Health Worker Awareness Week;

(2) recognizes the significant contributions of community health workers to the health care system and communities across the United States;

(3) encourages collaboration at the local, State, and Federal levels to raise awareness of the important role of community health workers; and

(4) supports the work of community health workers to improve health outcomes in underserved and high-need communities.

SENATE RESOLUTION 382—RECOGNIZING THE MONTH OF OCTOBER 2023 AS FILIPINO AMERICAN HISTORY MONTH AND CELEBRATING THE HISTORY AND CULTURE OF FILIPINO AMERICANS AND THEIR IMMENSE CONTRIBUTIONS TO THE UNITED STATES

Ms. HIRONO (for herself, Mr. BOOKER, Mr. BROWN, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mrs. FEINSTEIN, Mr. FETTERMAN, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. PADILLA, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mr. WARNER, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 382

Whereas the earliest documented Filipino presence in the continental United States was October 18, 1587, when the first ''Luzones Indios'' arrived in Morro Bay, California, on board the Nuestra Señora de Esperanza, a Manila-built galleon ship;

Whereas the Filipino American National Historical Society recognizes 1763 as the year in which the first permanent Filipino settlement in the United States was established in St. Malo, Louisiana;

Whereas the recognition of the first permanent Filipino settlement in the United States adds a new perspective to the history

of the United States by bringing attention to the economic, cultural, social, and other notable contributions made by Filipino Americans to the development of the United States;

Whereas the Filipino American community is the third largest Asian American and Pacific Islander group in the United States, with a population of approximately 4,500,000;

Whereas, from 2000 to 2019, the Filipino American community grew 78 percent, and Filipinos are the largest Asian community in Alaska, Hawaii, Idaho, Montana, Nevada, New Mexico, North Dakota, South Dakota, and West Virginia;

Whereas, from the Civil War to the Iraq and Afghanistan conflicts, Filipinos and Filipino Americans have a longstanding history of serving in the Armed Forces of the United States;

Whereas more than 250,000 Filipinos fought under the United States flag during World War II to protect and defend the United States in the Pacific theater;

Whereas a guarantee to pay back the service of Filipinos through veterans benefits was reversed by the First Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 79–301; 60 Stat. 6) and the Second Supplemental Surplus Appropriation Rescission Act, 1946 (Public Law 79–391; 60 Stat. 221), which provided that the wartime service of members of the Commonwealth Army of the Philippines and the new Philippine Scouts shall not be deemed to have been active service, and, therefore, those members did not qualify for certain benefits;

Whereas 26,000 Filipino World War II veterans were granted United States citizenship as a result of the Immigration Act of 1990 (Public Law 101–649; 104 Stat. 4978), which was signed into law by President George H.W. Bush on November 29, 1990;

Whereas, in 1991, the Filipino American National Historical Society made efforts to recognize October as Filipino American History Month for the first time;

Whereas, in 2009, Congress first recognized October as Filipino American History Month (S. Res. 298; H. Res. 780);

Whereas, on February 17, 2009, President Barack Obama signed into law the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115), which established the Filipino Veterans Equity Compensation Fund to compensate Filipino World War II veterans for their service to the United States;

Whereas, since June 8, 2016, the Filipino World War II Veterans Parole Program has allowed Filipino World War II veterans and certain family members to be reunited more expeditiously than the immigrant visa process allowed at that time;

Whereas, on December 14, 2016, President Barack Obama signed into law the Filipino Veterans of World War II Congressional Gold Medal Act of 2015 (Public Law 114–265; 130 Stat. 1376) to award Filipino veterans who fought alongside troops of the United States in World War II the highest civilian honor bestowed by Congress;

Whereas, on October 25, 2017, the Congressional Gold Medal was presented to Filipino World War II veterans in Emancipation Hall in the Capitol Building, a recognition for which the veterans had waited for more than 70 years;

Whereas Filipino Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force that may be bestowed on an individual serving in the Armed Forces, and continue to demonstrate a commendable sense of patriotism and honor in the Armed Forces;

Whereas the late Peter Aquino Aduja of Hawaii and the late Thelma Garcia Buchholdt of Alaska became the first Filipino American elected to public office and the first Filipina American elected to a legislature in the United States, respectively, inspiring their fellow Filipino Americans to pursue public service in politics and government;

Whereas Filipino American farmworkers and labor leaders, such as Philip Vera Cruz and Larry Itliong, played an integral role in the multiethnic United Farm Workers movement, alongside Cesar Chávez, Dolores Huerta, and other Latino workers;

Whereas, on April 25, 2012, President Barack Obama nominated Lorna G. Schofield to be a United States District Judge for the United States District Court for the Southern District of New York, and she was confirmed by the Senate on December 13, 2012, to be the first Filipina American in United States history to serve as an Article III Federal judge;

Whereas Filipino Americans play an integral role in the healthcare system of the United States as nurses, doctors, first responders, and other medical professionals, and approximately 1 in 4 working Filipino adults in the United States is a frontline healthcare worker;

Whereas Filipino Americans contribute greatly to music, dance, literature, education, business, hospitality, journalism, sports, fashion, politics, government, science, technology, the fine arts, and other fields that enrich the United States;

Whereas, as mandated in the mission statement of the Filipino American National Historical Society, efforts should continue to promote the study of Filipino American history and culture because the roles of Filipino Americans and other people of color have largely been overlooked in the writing, teaching, and learning of the history of the United States;

Whereas it is imperative for Filipino American youth to have positive role models to instill—

(1) the significance of education, complemented by the richness of Filipino American ethnicity; and

(2) the value of the Filipino American legacy; and

Whereas it is essential to promote the understanding, education, and appreciation of the history and culture of Filipino Americans in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the celebration of Filipino American History Month in October 2023 as—

(A) a testament to the advancement of Filipino Americans;

(B) a time to reflect on and remember the many notable contributions that Filipino Americans have made to the United States; and

(C) a time to renew efforts toward the research and examination of history and culture so as to provide an opportunity for all people of the United States to learn more about Filipino Americans and to appreciate the historic contributions of Filipino Americans to the United States; and

(2) urges the people of the United States to observe Filipino American History Month with appropriate programs and activities.

SENATE RESOLUTION 383—SUPPORTING THE GOALS AND IDEALS OF RED RIBBON WEEK DURING THE PERIOD OF OCTOBER 23 THROUGH OCTOBER 31, 2023

Mr. CORNYN (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 383

Whereas the National Family Partnership started the Red Ribbon Campaign in 1988—

(1) to educate the people of the United States about the link between drug use and violence;

(2) to preserve the memory of Enrique ''Kiki'' Camarena (referred to in this preamble as ''Special Agent Camarena''), a special agent of the Drug Enforcement Administration who—

(A) served the Drug Enforcement Administration for 11 years; and

(B) was murdered in the line of duty in 1985, while engaged in the battle against illicit drugs;

(3) to commemorate the service of Special Agent Camarena to the Drug Enforcement Administration and the people of the United States; and

(4) to further the cause for which Special Agent Camarena gave his life;

Whereas the Red Ribbon Campaign is the most longstanding drug use prevention program in the United States, bringing drug awareness to millions of people in the United States each year;

Whereas Red Ribbon Week is celebrated every year during the period of October 23 through October 31 by—

(1) State Governors and attorneys general;

(2) the National Family Partnership;

(3) parent-teacher associations;

(4) Boys and Girls Clubs of America;

(5) the Young Marines;

(6) the Drug Enforcement Administration; and

(7) hundreds of other organizations throughout the United States;

Whereas the objective of Red Ribbon Week is to promote the creation of drug-free communities through drug use prevention efforts, education programs, parental involvement, and community-wide support through specific actions such as lighting up buildings and landmarks, and activities that engage the public;

Whereas, according to the Centers for Disease Control and Prevention, drug overdoses are the leading cause of death in people in the United States between the ages of 18 to 45, outnumbering deaths by firearms, motor vehicle crashes, suicide, or homicide;

Whereas approximately 107,735 people died from drug overdoses in the United States in 2022;

Whereas reducing the demand for illicit controlled substances would—

(1) curtail lethal addictions and overdoses; and

(2) reduce the violence associated with drug trafficking;

Whereas, although public awareness of illicit drug use is increasing, emerging drug threats and growing epidemics continue to demand attention;

Whereas the Drug Enforcement Administration hosts a National Take Back Day twice a year, on the last Saturdays of October and April, for the public to safely dispose of unused or expired prescription drugs that can lead to accidental poisoning, overdose, or misuse;

Whereas the National Family Partnership hosts Lock Your Meds, a multi-media campaign and program to encourage individuals, businesses, and communities to dispose of drugs appropriately and to reduce the demand for drugs;

Whereas Lock Your Meds is statewide in Idaho, North Carolina, and throughout the southeastern United States;

Whereas synthetic opioids such as fentanyl and the analogues of fentanyl devastated

communities and families at an unprecedented rate, claiming more than 70,000 lives in 2022;

Whereas the presence of fentanyl and the analogues of fentanyl pose hazards to police officers and law enforcement agents;

Whereas 6 out of 10 pills tested at Drug Enforcement Administration laboratories contain a potentially deadly dose of fentanyl;

Whereas the Drug Enforcement Administration has created a special exhibit entitled ''The Faces of Fentanyl'' to commemorate the lives lost from fentanyl poisoning, and has received over 5,000 photos as of the date of enactment of this resolution;

Whereas the Drug Enforcement Administration seized more than 58,400,000 fentanyl-laced, fake prescription pills and more than 13,000 pounds of fentanyl powder in 2022;

Whereas, from 2019 to 2020, more than 13,000 people in the United States died from a drug overdose involving heroin, a rate of more than 4 deaths for every 100,000 people in the United States;

Whereas, from 2018 to 2019, drug overdose deaths involving cocaine increased by nearly 9 percent, with almost 16,000 people in the United States dying in 2019 from such an overdose, the highest recorded total in the 21st century;

Whereas, according to the Centers for Disease Control and Prevention, 2,500,000 people in the United States aged 12 or older reported having used methamphetamine in 2020;

Whereas psychostimulants with abuse potential, such as methamphetamine, were involved in 1.3 times as many drug overdose deaths as cocaine;

Whereas parents, young people, schools, businesses, law enforcement agencies, religious institutions and faith-based organizations, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the United States will demonstrate their commitment to healthy, productive, and drug-free lifestyles by wearing and displaying red ribbons during the week-long celebration of Red Ribbon Week; and

Whereas the National Family Partnership is forming a partnership with the grassroots group Fentanyl Fathers to stream the movie ''Dead on Arrival'' nationally in order to educate and inspire the public to participate in solving the fentanyl epidemic; Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Red Ribbon Week during the period of October 23 through October 31, 2023;

(2) encourages the people of the United States to wear and display red ribbons during Red Ribbon Week to symbolize their commitment to healthy, drug-free lifestyles;

(3) encourages the people of the United States to light up buildings and landmarks to send a drug-free message;

(4) encourages children, teens, and other individuals to choose to live drug-free lives; and

(5) encourages the people of the United States—

(A) to promote the creation of drug-free communities; and

(B) to participate in drug use prevention activities to show support for healthy, productive, and drug-free lifestyles.

SENATE RESOLUTION 384—RECOGNIZING THE SERIOUSNESS OF POLYCYSTIC OVARY SYNDROME (PCOS) AND EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2023 AS ''PCOS AWARENESS MONTH''

Ms. WARREN (for herself, Mrs. FISCHER, Mr. BLUMENTHAL, Mr. PADILLA, Mr. VAN HOLLEN, Mr. RUBIO, Mr. CARDIN, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 384

Whereas polycystic ovary syndrome (referred to in this preamble as ''PCOS'') is a common health problem among women and girls involving a hormonal imbalance;

Whereas there is no universal definition of PCOS, but the Centers for Disease Control and Prevention estimates that between 6 and 12 percent of women in the United States are affected by the condition;

Whereas, according to a 2021 study, the annual burden of PCOS in the United States is estimated to be in excess of $15,000,000,000, and this estimate does not include—

(1) the cost of all comorbidities in postmenopause or adolescence; or

(2) indirect and intangible costs related to the disorder;

Whereas PCOS can affect girls at the onset of puberty and throughout the remainder of their lives;

Whereas the symptoms of PCOS include infertility, irregular or absent menstrual periods, acne, weight gain, thinning of scalp hair, excessive facial and body hair growth, numerous small ovarian cysts, pelvic pain, and mental health problems;

Whereas women with PCOS have higher rates of mental health disorders, including depression, anxiety, bipolar disorder, and eating disorders, and are at greater risk for suicide;

Whereas adolescents with PCOS often are not diagnosed, and many have metabolic dysfunction and insulin resistance, which can lead to type 2 diabetes, cardiovascular disease, obstructive sleep apnea, nonalcoholic fatty liver disease, heart disease, and endometrial cancer at a young adult age;

Whereas an estimated 50 percent of women with PCOS are undiagnosed and many remain undiagnosed until they experience fertility difficulties or develop type 2 diabetes or other cardiometabolic disorders;

Whereas PCOS is one of the most common causes of female infertility;

Whereas PCOS in pregnancy is associated with increased risk of gestational diabetes, preeclampsia, pregnancy-induced hypertension, preterm delivery, cesarean delivery, miscarriage, and fetal and infant death;

Whereas women with PCOS are at increased risk of developing high blood pressure, high cholesterol, stroke, and heart disease (the leading cause of death among women);

Whereas women with PCOS have a more than 50 percent chance of developing type 2 diabetes or prediabetes before the age of 40;

Whereas PCOS may be associated with increased risk for breast cancer and ovarian cancer, and the risk of developing endometrial cancer is 4 times higher than for women who do not have PCOS;

Whereas research has found an association between depression and PCOS;

Whereas research has indicated PCOS shares a genetic architecture with metabolic traits, as evidenced by genetic correlations between PCOS and obesity, fasting insulin, type 2 diabetes, lipid levels, and coronary artery disease;

Whereas PCOS negatively alters metabolic function independent of, but exacerbated by, an increased body mass index (commonly referred to as ''BMI'');

Whereas the cause of PCOS is unknown, but researchers have found strong links to a genetic predisposition and significant insulin resistance, which affects up to 70 percent of women with PCOS; and

Whereas there is no known cure for PCOS: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes polycystic ovary syndrome (referred to in this resolution as ''PCOS'') as a serious disorder that impacts many aspects of health, including cardiometabolic, reproductive, and mental health, and quality of life;

(2) expresses support for the designation of September 2023 as ''PCOS Awareness Month'';

(3) supports the goals and ideals of PCOS Awareness Month, which are—

(A) to increase awareness of, and education about, PCOS and its connection to comorbidities, such as type 2 diabetes, endometrial cancer, cardiovascular disease, nonalcoholic fatty liver disease, and mental health disorders, among the general public, women, girls, and health care professionals;

(B) to improve diagnosis and treatment of PCOS;

(C) to disseminate information on diagnosis, treatment, and management of PCOS, including prevention of comorbidities such as type 2 diabetes, endometrial cancer, cardiovascular disease, nonalcoholic fatty liver disease, and eating disorders; and

(D) to improve quality of life and outcomes for women and girls with PCOS;

(4) recognizes the need for further research, improved treatment and care options, and a cure for PCOS;

(5) acknowledges the struggles affecting all women and girls who have PCOS in the United States;

(6) urges medical researchers and health care professionals to advance their understanding of PCOS to improve research, diagnosis, and treatment of PCOS for women and girls; and

(7) encourages States, territories, and localities to support the goals and ideals of PCOS Awareness Month.

SENATE RESOLUTION 385—CALLING FOR THE IMMEDIATE RELEASE OF EVAN GERSHKOVICH, A UNITED STATES CITIZEN AND JOURNALIST, WHO WAS WRONGFULLY DETAINED BY THE GOVERNMENT OF THE RUSSIAN FEDERATION IN MARCH 2023

Mr. RISCH (for himself, Mr. CARDIN, Mr. TILLIS, Mr. BOOKER, Mr. CASSIDY, Mrs. SHAHEEN, Mr. CRAPO, Mr. KAINE, Ms. COLLINS, Mr. HICKENLOOPER, Mr. SCOTT of Florida, Mr. CASEY, Mr. CORNYN, Mr. VAN HOLLEN, Mr. ROMNEY, Mr. WARNER, Mr. HOEVEN, Mrs. CAPITO, Mr. GRAHAM, Mr. WICKER, Mr. RICKETTS, Mr. SCOTT of South Carolina, Mr. YOUNG, Mr. RUBIO, Mr. CRUZ, Mr. SULLIVAN, and Mr. LANKFORD) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 385

Whereas United States citizen Evan Gershkovich is a journalist for the Wall Street Journal;

Whereas Evan Gershkovich is an accredited reporter, with a history of working in Russia for the Moscow Times, Agence France-Presse, and the Wall Street Journal;

Whereas Evan Gershkovich is known to his family, friends, and colleagues as someone who is adventurous, curious, and who has an abiding love for Russia and its people;

Whereas Evan Gershkovich, a trailblazing and intrepid journalist, actively reported on stories across Russia, including the vast wildfires across Siberia, the COVID–19 pandemic, the Russian economy, and the Government of the Russian Federation's unlawful invasion of Ukraine;

Whereas, on March 29, 2023, Evan Gershkovich was arrested in Yekaterinburg while reporting on behalf of the Wall Street Journal;

Whereas, on April 7, 2023, the Government of the Russian Federation charged Evan Gershkovich with espionage;

Whereas the Government of the Russian Federation has failed to publicly provide evidence of Evan Gershkovich's criminal action to credibly render a charge of espionage;

Whereas the last time an American journalist was detained on allegations of espionage in Russia was in 1986 during the era of the Soviet Union;

Whereas, on April 10, 2023, Secretary of State Antony Blinken designated Evan Gershkovich wrongfully detained by the Government of the Russian Federation; and

Whereas, on April 17, 2023, the United States was joined by 46 United Nations Member States in a joint statement expressing deep concern over the detention of Evan Gershkovich by the Government of the Russian Federation: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of the Russian Federation to immediately release Evan Gershkovich, who has been wrongfully detained since March 2023;

(2) urges all United States executive branch officials, including President Joseph R. Biden, Secretary of State Antony Blinken, and Special Presidential Envoy for Hostage Affairs Roger D. Carstens, to raise the case of Evan Gershkovich and to press for his immediate release in all interactions with the Government of the Russian Federation;

(3) urges the Government of the Russian Federation to provide full, unfettered, and consistent consular access, in accordance with its international obligations, to Evan Gershkovich while he remains in detention;

(4) urges the Government of the Russian Federation to respect the human rights of Evan Gershkovich;

(5) urges the Government of the Russian Federation to respect the rights of accredited journalists to freely and independently report the news without fear of arbitrary detention or reprisal;

(6) urges the Government of the Russian Federation to desist from detaining, imprisoning, and otherwise seeking to intimidate journalists in order to curtail or censor an independent press;

(7) condemns the Government of the Russian Federation's continued use of detentions and prosecutions of United States citizens and lawful permanent residents for political purposes;

(8) calls for the immediate release of Paul Whelan, who has been wrongfully detained in Russia since December 2018;

(9) expresses continued support for all American citizens and lawful permanent residents detained in Russia and abroad, including Marc Fogel, who faces a politicized, excessive sentence for his alleged offense, Vladimir Kara-Murza, who has endured multiple attempts on his life and years of persecution by the Putin regime, and others; and

(10) expresses sympathy for and solidarity with the families of Evan Gershkovich, Paul Whelan, and all other American citizens and lawful permanent residents wrongfully detained abroad for the personal hardship experienced as a result of the arbitrary and baseless arrest and detention of their loved ones.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1290. Ms. HASSAN (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table.

SA 1291. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table.

SA 1292. Mr. SCHUMER (for Mrs. MURRAY) proposed an amendment to the bill H.R. 3935, supra.

SA 1293. Mr. SCHUMER proposed an amendment to amendment SA 1292 proposed by Mr. SCHUMER (for Mrs. MURRAY) to the bill H.R. 3935, supra.

SA 1294. Mr. SCHUMER proposed an amendment to the bill H.R. 3935, supra.

SA 1295. Mr. SCHUMER proposed an amendment to amendment SA 1294 proposed by Mr. SCHUMER to the bill H.R. 3935, supra.

SA 1296. Mr. CRUZ (for himself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366 , making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table.

SA 1297. Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table.

SA 1298. Mr. CRUZ (for himself, Mr. LEE, Mr. COTTON, Mr. BARRASSO, Mr. TUBERVILLE, Mr. BRAUN, Mr. MARSHALL, and Mr. SCHMITT) submitted an amendment intended to be proposed to amendment SA 1292 proposed by Mr. SCHUMER (for Mrs. MURRAY) to the bill H.R. 3935, supra; which was ordered to lie on the table.

SA 1299. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2968, to reauthorize the National Flood Insurance Program; which was referred to the Committee on Banking, Housing, and Urban Affairs.

TEXT OF AMENDMENTS

SA 1290. Ms. HASSAN (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. REPORT ON PREVENTIVE MAINTENANCE FOR FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) FINDINGS.—Congress finds the following:

(1) The infrastructure of the Department of Veterans Affairs at medical facilities of the Veterans Health Administration around the country continues to age with each passing year.

(2) As those facilities continue to age, infrastructure funding is strained, with resources spent on repairing older buildings rather than on making new improvements.

(3) As the Department of Veterans Affairs proactively works to ensure that its older buildings are safely and effectively operating, it is critical that the Department plan for preventive maintenance and repairs that will fix more than just a current breakdown, but also prevent future breakdowns to the greatest extent possible, including through modernization and replacement projects.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report describing how the Secretary is incorporating planning and goals for preventive maintenance of facilities of the Veterans Health Administration into the overall infrastructure budgeting and implementation process of the Department of Veterans Affairs.

SA 1291. Mr. RUBIO (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DISASTER RELIEF SUPPLEMENTAL APPROPRIATIONS ACT, 2023, AMENDMENT.

The Secretary of Agriculture may use amounts made available by title I of the Disaster Relief Supplemental Appropriations Act, 2023 (division N of Public Law 117–328; 136 Stat. 5201), under the heading ''OFFICE OF THE SECRETARY'' under the heading ''PROCESSING, RESEARCH AND MARKETING'' under the heading ''AGRICULTURAL PROGRAMS'' under the heading ''DEPARTMENT OF AGRICULTURE'' to provide assistance for losses described under that heading in that Act in the form of block grants to eligible States and territories.

SA 1292. Mr. SCHUMER (for Mrs. MURRAY) proposed an amendment to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, 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 ''Continuing Appropriations Act, 2024 and Other Extensions Act''.

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.
DIVISION A—CONTINUING APPROPRIATIONS ACT, 2024
DIVISION B—OTHER MATTERS
Title I—Extensions and other matters
Title II—FAA Extension
Title III—Health and Human Services
Title IV—Budgetary Effects

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.

DIVISION A—CONTINUING APPROPRIATIONS ACT, 2024

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2024, and for other purposes, namely:

SEC. 101. Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2023 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2023, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2023 (division A of Public Law 117–328), except section 729, and including the matter under the headings ''Food for Peace Title II Grants'' and ''McGovern-Dole International Food for Education and Child Nutrition Program Grants'' in title I of division M of Public Law 117–328, the matter under the headings ''Agricultural Research Service—Buildings and Facilities'', ''Food Safety and Inspection Service'', ''Rural Housing Service—Rural Community Facilities Program Account'' (except all that follows after ''expended'' in such matter and except that such matter shall be applied by substituting ''$25,300,000'' for ''$75,300,000''), and ''Rural Utilities Service—Rural Water and Waste Disposal Program Account'' (except all that follows after ''expended'' in such matter and except that such matter shall be applied by substituting ''$60,000,000'' for ''$325,000,000'') in title I of division N of Public Law 117–328, and section 2102 in title I of such division N.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2023 (division B of Public Law 117–328), except section 540, and except section 521(d)(1) shall be applied by substituting ''$122,572,000'' for ''$705,768,000'', and including the matter under the headings ''Federal Prison System—Buildings and Facilities'' and ''National Science Foundation—STEM Education'' (except all that follows after ''2024'' in such matter and except that such matter shall be applied by substituting ''$92,000,000'' for ''$217,000,000'') in title II of division N of Public Law 117–328, and the second paragraph under each of the headings ''National Oceanic and Atmospheric Administration—Operations, Research, and Facilities'' (except all that follows after ''2024'' in such paragraph and except that such paragraph shall be applied by substituting ''$42,000,000'' for ''$62,000,000''), ''National Oceanic and Atmospheric Administration—Procurement, Acquisition and Construction'', ''National Aeronautics and Space Administration—Construction and Environmental Compliance and Restoration'', and ''National Science Foundation—Research and Related Activities'' (except all that follows after ''2024'' in such paragraph and except that such paragraph shall be applied by substituting ''$608,162,000'' for ''$818,162,000'') in title II of such division N.

(3) The Department of Defense Appropriations Act, 2023 (division C of Public Law 117–328).

(4) The Energy and Water Development and Related Agencies Appropriations Act, 2023 (division D of Public Law 117–328), except the first proviso under the heading ''SPR Petroleum Account'', and except the second paragraph under the heading ''Title 17 Innovative Technology Loan Guarantee Program'', and including the matter under the heading ''Energy Programs—Nuclear Energy'' in title III of division M of Public Law 117–328 and the second paragraph under each of the headings ''Corps of Engineers—Civil—Department of the Army—Construction'' and ''Corps of Engineers—Civil—Department of the Army—Operation and Maintenance'' in title IV of division N of Public Law 117–328.

(5) The Financial Services and General Government Appropriations Act, 2023 (division E of Public Law 117–328).

(6) The Department of Homeland Security Appropriations Act, 2023 (division F of Public Law 117–328), section 2602 of title VI of division N of Public Law 117-328, and title III of division O of Public Law 117–328.

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023 (division G of Public Law 117–328), except section 443, and including the second paragraph under each of the headings ''Department of the Interior—Departmental Offices—Department-Wide Programs—Wildland Fire Management'' and ''Related Agencies—Department of Agriculture—Forest Service—Wildland Fire Management'' in title VII of division N of Public Law 117–328.

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2023 (division H of Public Law 117–328), section 145 of division A of Public Law 117–180, and the second paragraph under the heading ''Administration for Children and Families—Low Income Home Energy Assistance'' in title VIII of division N of Public Law 117–328.

(9) The Legislative Branch Appropriations Act, 2023 (division I of Public Law 117–328), and section 6 in the matter preceding division A of Public Law 117–328.

(10) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2023 (division J of Public Law 117–328), except the matter preceding the first provisos under the headings ''Medical Services'', ''Medical Community Care'', ''Medical Support and Compliance'', and ''Medical Facilities'' shall be applied by substituting ''$0'' for ''$261,000,000'', ''$4,300,000,000'', ''$1,400,000,000'', and ''$1,500,000,000'', respectively.

(11) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2023 (division K of Public Law 117–328), except section 7069, and including the matter under the headings ''Department of State—Administration of Foreign Affairs—Diplomatic Programs'' (except all that follows after ''2024'' in such matter and except that such matter shall be applied by substituting ''$87,054,000'' for ''$147,054,000''), ''Bilateral Economic Assistance—Funds Appropriated to the President—International Disaster Assistance'' (except all that follows after ''expended'' in such matter and except that such matter shall be applied by substituting ''$637,902,000'' for ''$937,902,000''), ''Bilateral Economic Assistance—Funds Appropriated to the President—Assistance for Europe, Eurasia and Central Asia'', ''Bilateral Economic Assistance—Department of State—Migration and Refugee Assistance'' (except all that follows after ''expended'' in such matter and except that such matter shall be applied by substituting ''$915,048,000'' for ''$1,535,048,000''), and ''International Security Assistance—Department of State—International Narcotics Control and Law Enforcement'' (except all that follows after ''2024'' in such matter and except that such matter shall be applied by substituting ''$74,996,000'' for ''$374,996,000'') in title VII of division M of Public Law 117–328.

(12) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023 (division L of Public Law 117–328), except sections 153 and 420, and including the matter under the headings ''Public and Indian Housing—Tenant-Based Rental Assistance'' and ''Housing Programs—Project-Based Rental Assistance'' in title X of division N of Public Law 117–328.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for:

(1) the new production of items not funded for production in fiscal year 2023 or prior years;

(2) the increase in production rates above those sustained with fiscal year 2023 funds; or

(3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2023.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2023.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2024, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs:

(1) The enactment into law of an appropriation for any project or activity provided for in this Act.

(2) The enactment into law of the applicable appropriations Act for fiscal year 2024 without any provision for such project or activity.

(3) November 17, 2023.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable

appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2024 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2023, except the matter under the heading ''Cost of War Toxic Exposures Fund'' in title II of division J of Public Law 117–328, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2023, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2023 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2023, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 114. (a)(1) For each amount incorporated by reference in this Act from amounts provided by division M or N of Public Law 117–328, each section or paragraph of an account providing each such amount, as applicable, shall be applied as if that section or paragraph ended with the following sentence: ''The amount provided herein is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.''.

(2) Each amount incorporated by reference in this Act that was previously designated by the Congress as an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022, or as being for disaster relief pursuant to a concurrent resolution on the budget in the Senate and section 1(f) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022, is designated by the Congress as being an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b)(1) Each amount incorporated by reference in this Act that was specified to meet the terms of section 4004(b)(5)(B) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g)(2) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022, or as additional new budget authority for purposes of section 4004(b)(5) of such concurrent resolution and section 1(g) of such House resolution, is provided to meet the terms of section 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emergency Deficit Control Act of 1985, or is additional new budget authority as specified for purposes of section 251(b)(2)(F) of such Act, respectively.

(2) Each amount incorporated by reference in this Act for ''Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations'' that was specified to meet the terms of a concurrent resolution on the budget in the Senate and section 1(j)(2) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022, or as additional new budget authority for purposes of a concurrent resolution on the budget in the Senate and section 1(j) of such House resolution, is provided to meet the terms of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, or is additional new budget authority as specified for the purposes of section 251(b)(2)(E) of such Act, respectively.

(3) Each amount incorporated by reference in this Act for ''Department of Health and Human Services—Centers for Medicare & Medicaid Services—Health Care Fraud and Abuse Control Account'' that was specified to meet the terms of a concurrent resolution on the budget in the Senate, or as additional new budget authority for purposes of a concurrent resolution on the budget in the Senate and section 1(h) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022, is provided to meet the terms of section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, or is additional new budget authority as specified for the purposes of section 251(b)(2)(C) of such Act, respectively.

(4) Each amount incorporated by reference in this Act for ''Social Security Administration—Limitation on Administrative Expenses'' that was specified to meet the terms of a concurrent resolution on the budget in the Senate, or as additional new budget authority for purposes of a concurrent resolution on the budget in the Senate and section 1(i) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022, is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, or is additional new budget authority as specified for the purposes of section 251(b)(2)(B) of such Act, respectively.

(c) Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or repurposed or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 115. (a) Rescissions or cancellations of discretionary budget authority that continue pursuant to section 101 in Treasury Appropriations Fund Symbols (TAFS)—

(1) to which other appropriations are not provided by this Act, but for which there is a current applicable TAFS that does receive an appropriation in this Act; or

(2) which are no-year TAFS and receive other appropriations in this Act, may be continued instead by reducing the rate for operations otherwise provided by section 101 for such current applicable TAFS, as long as doing so does not impinge on the final funding prerogatives of the Congress.

(b) Rescissions or cancellations described in subsection (a) shall continue in an amount equal to the lesser of—

(1) the amount specified for rescission or cancellation in the applicable appropriations Act referenced in section 101 of this Act; or

(2) the amount of balances available, as of October 1, 2023, from the funds specified for rescission or cancellation in the applicable appropriations Act referenced in section 101 of this Act.

(c) No later than November 17, 2023, the Director of the Office of Management and Budget shall provide to the Committees on Appropriations of the House of Representatives and the Senate a comprehensive list of the rescissions or cancellations that will continue pursuant to section 101: *Provided*, That the information in such comprehensive list shall be periodically updated to reflect any subsequent changes in the amount of balances available, as of October 1, 2023, from the funds specified for rescission or cancellation in the applicable appropriations Act referenced in section 101, and such updates shall be transmitted to the Committees on Appropriations of the House of Representatives and the Senate upon request.

SEC. 116. Amounts made available by section 101 for ''Farm Service Agency—Agricultural Credit Insurance Fund Program Account'' may be apportioned up to the rate for operations necessary to accommodate approved applications for direct and guaranteed farm ownership loans, as authorized by 7 U.S.C. 1922 et seq.

SEC. 117. Amounts made available by section 101 for ''Rural Housing Service—Rental Assistance Program'' may be apportioned up to the rate for operations necessary to maintain activities as authorized by section 521(a)(2) of the Housing Act of 1949.

SEC. 118. Amounts made available by section 101 for ''Domestic Food Programs—Food and Nutrition Service—Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)'' may be apportioned at the rate for operations necessary to maintain participation.

SEC. 119. Amounts made available by section 101 for ''Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program'' may be apportioned up to the rate for operations necessary to maintain current program caseload in the Commodity Supplemental Food Program.

SEC. 120. Section 260 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) and section 942 of the Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106–78) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2023''.

SEC. 121. Amounts made available by section 101 for ''National Telecommunications and Information Administration—Salaries

and Expenses'' may be apportioned up to the rate for operations necessary to administer broadband programs.

SEC. 122. (a) Funds previously made available in the Consolidated Appropriations Act, 2017 (Public Law 115–31) and the Consolidated Appropriations Act, 2018 (Public Law 115–141) under the heading ''National Aeronautics and Space Administration—Space Operations'' that were available for obligation through fiscal year 2018 and fiscal year 2019, respectively, are to remain available through fiscal year 2027 for the liquidation of valid obligations incurred in fiscal years 2017 through 2019.

(b)(1) Subject to paragraph (2), this section shall become effective immediately upon enactment of this Act.

(2) If this Act is enacted after September 30, 2023, this section shall be applied as if it were in effect on September 30, 2023.

SEC. 123. 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 ''36 years'' or ''36-year period'' shall be deemed a reference to ''36 years and 17 days'' or ''36-year and 17-day period'', respectively.

SEC. 124. Notwithstanding sections 102 and 104, amounts made available by section 101 to the Department of Defense for ''Shipbuilding and Conversion, Navy'' may be apportioned up to the rate for operations necessary for ''Ohio Replacement Submarine (Full Funding)'' in an amount not to exceed $621,270,000 for the procurement of one Columbia Class Submarine.

SEC. 125. (a) The remaining unobligated balances, as of September 30, 2023, from amounts provided under the heading ''Department of Defense—Operation and Maintenance—Overseas Humanitarian, Disaster, and Civic Aid'' in division C of Public Law 117–43 and division B of Public Law 117–70, are hereby permanently rescinded and, in addition to amounts otherwise provided by section 101, an amount of additional new budget authority equivalent to the amount rescinded pursuant to this subsection is hereby appropriated on September 30, 2023, for an additional amount for fiscal year 2023, to remain available until September 30, 2024, for the same purposes and under the same authorities provided under such heading in Public Laws 117–43 and 117–70, in addition to other funds as may be available for such purposes: *Provided*, That the new budget authority provided by this subsection may be transferred to any appropriation account of the Department of State for support of Operation Allies Welcome or any successor operation: *Provided further*, That upon any such transfer, the funds shall be merged with the appropriation to which the funds are transferred except that such funds may be made available for such purposes notwithstanding any requirement or limitation applicable to the appropriation to which transferred, including sections 2(c)(1) and 2(c)(2) of the Migration and Refugee Assistance Act with respect to the ''United States Emergency Refugee and Migration Assistance Fund'' and in section 4(a) and section 4(b) of the State Department Basic Authorities Act of 1956 with respect to funds transferred to the ''Emergencies in the Diplomatic and Consular Service'' account: *Provided further*, That section 2215 of title 10, United States Code, shall not apply to a transfer of funds under this section: *Provided further*, That the transfer authority provided under this section is in addition to any other transfer authority provided by law: *Provided further*, That the exercise of the authority of this subsection shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the new budget authority provided by this subsection is designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022 and to legislation establishing fiscal year 2024 budget enforcement in the House of Representatives.

(b)(1) Subject to paragraph (2), this section shall become effective immediately upon enactment of this Act.

(2) If this Act is enacted after September 30, 2023, this section shall be applied as if it were in effect on September 30, 2023.

SEC. 126. In addition to amounts otherwise provided by section 101, for ''Operation and Maintenance—Operation and Maintenance, Defense-Wide'', there is appropriated $4,499,000,000, for an additional amount for fiscal year 2024, to remain available until September 30, 2024, to respond to the situation in Ukraine and for related expenses: *Provided*, That of such amount, $25,517,000 shall be transferred to accounts under the heading ''Military Personnel''; $3,910,483,000 shall be transferred to accounts under the heading ''Operation and Maintenance'', of which $1,500,000,000 shall be for the Ukraine Security Assistance Initiative and $1,500,000,000 may be transferred to accounts under the headings ''Operation and Maintenance'' and ''Procurement'' for replacement of defense articles from the stocks of the Department of Defense, and for reimbursement for defense services of the Department of Defense and military education and training, provided to the government of Ukraine or to foreign countries that have provided support to Ukraine at the request of the United States and funds transferred pursuant to such authority shall be merged with and available for the same purposes and for the same time period as the appropriations to which transferred; $475,275,000 shall be transferred to accounts under the heading ''Procurement'' to respond to the situation in Ukraine and for related or other expenses; $83,725,000 shall be transferred to accounts under the heading ''Research, Development, Test and Evaluation''; $3,000,000 shall be transferred to ''Other Department of Defense Programs—Office of the Inspector General''; and $1,000,000 shall be transferred to ''Related Agencies—Intelligence Community Management Account'': *Provided further*, That funds transferred pursuant to this section shall be available for programs, projects, activities or operations for which funds were made available to the Department of Defense in division M of Public Law 117–328, under the authorities and conditions in that Act: *Provided further*, That none of the funds provided in this section may be obligated or expended until 10 days after the Secretary of Defense provides the Committees on Appropriations of the House of Representatives and the Senate a detailed execution plan for such funds: *Provided further*, That the Secretary of Defense may reduce this notification period on a case-by-case basis for urgent national security requirements: *Provided further*, That upon a determination that all or part of the funds transferred pursuant to the first proviso are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided herein is in addition to any other transfer authority provided by law: *Provided further*, That the reporting requirements in sections 1201 and 1202 of title II of division M of Public Law 117–328 shall apply to the funds made available pursuant to this section: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 127. During the period covered by this Act, section 714(b)(2)(B) of title 10, United States Code, shall be applied by substituting ''four years'' for ''two years''.

SEC. 128. (a) Notwithstanding section 101, title II of division E of Public Law 117–328 shall be applied by adding the following new heading and appropriation language under the heading ''Executive Office of the President and Funds Appropriated to the President'':

''OFFICE OF PANDEMIC PREPAREDNESS AND RESPONSE POLICY

''SALARIES AND EXPENSES

''For necessary expenses of the Office of Pandemic Preparedness and Response Policy, as authorized by section 2104 of the PREVENT Pandemics Act (42 U.S.C. 300hh–3), $3,700,000, of which not to exceed $5,000 shall be available for official reception and representation expenses.''.

(b) Notwithstanding section 101, section 201 of title II of division E of Public Law 117–328 shall be applied by inserting ''Office of Pandemic Preparedness and Response Policy'' after ''Office of Administration''.

SEC. 129. Notwithstanding section 101, the matter preceding the first proviso under the heading ''Office of Personnel Management—Salaries and Expenses'' in division E of Public Law 117–328 shall be applied by substituting ''$219,076,000'' for ''$190,784,000''.

SEC. 130. Notwithstanding any other provision of this Act, except section 106, the District of Columbia may expend local funds made available under the heading ''District of Columbia—District of Columbia Funds'' for such programs and activities under the District of Columbia Appropriations Act, 2023 (title IV of division E of Public Law 117–328) at the rate set forth in the Fiscal Year 2024 Local Budget Act of 2023 (D.C. Act 25–161), as modified as of the date of enactment of this Act.

SEC. 131. Amounts made available by section 101 to the Department of Homeland Security under the heading ''Federal Emergency Management Agency—Disaster Relief Fund'' may be apportioned up to the rate for operations necessary to carry out response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 132. In addition to amounts otherwise provided by section 101, for ''Federal Emergency Management Agency—Disaster Relief Fund'', there is appropriated $5,999,000,000, for an additional amount for fiscal year 2024, to remain available until expended, of which $1,000,000 shall be transferred to ''Office of the Inspector General—Operations and Support'' for audits and investigations of activities funded under ''Federal Emergency Management Agency—Disaster Relief Fund'' and $5,500,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 133. (a) Sections 1309(a) and 1319 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and 4026) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2023''.

(b)(1) Subject to paragraph (2), this section shall become effective immediately upon enactment of this Act.

(2) If this Act is enacted after September 30, 2023, this section shall be applied as if it were in effect on September 30, 2023.

SEC. 134. Section 227(a) of the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1525(a)) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2023''.

SEC. 135. Amounts made available by section 101 for ''Department of the Interior—Department-Wide Programs—Wildland Fire Management'' and ''Department of Agriculture—Forest Service—Wildland Fire Management'' shall be available for the Federal wildland firefighter base salary increase provided under section 40803(d)(4)(B) of Public Law 117–58 and may be apportioned up to the rate for operations necessary to continue to fund such base salary increase.

SEC. 136. (a) Amounts made available by section 101 for ''Department of Education—Student Aid Administration'' may be apportioned up to the rate for operations necessary to ensure the continuation of student loan servicing activities, including supporting borrowers reentering repayment.

(b) The limitation in section 302 of division H of Public Law 117–328 regarding transfers increasing any appropriation shall be applied to transfers to appropriations under the heading ''Department of Education—Student Aid Administration'' during the period covered by this Act by substituting ''10 percent'' for ''3 percent'' for the purposes of the continuation of basic operations, including student loan servicing, business process operations, digital customer care, common origination and disbursement, cybersecurity activities, and information technology systems.

SEC. 137. Activities authorized by part A of title IV (other than under section 403(c) or 418) and section 1108(b) of the Social Security Act shall continue through the date specified in section 106(3), in the manner authorized for fiscal year 2023, 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.

SEC. 138. During the period covered by this Act, section 401(a)(1)(A) of the Additional Ukraine Supplemental Appropriations Act, 2022 (Public Law 117–128) shall be applied by substituting the date specified in section 106(3) of this Act for ''September 30, 2023'': *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 139. Amounts provided by section 101 for ''Department of Health and Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund'' for activities carried out by the Assistant Secretary for Preparedness and Response may be obligated under the authorities and conditions of division H of Public Law 117–328 in an account and budget structure under the heading ''Department of Health and Human Services—Administration for Strategic Preparedness and Response'' to one or more applicable accounts.

SEC. 140. In addition to amounts otherwise provided by section 101, for ''Government Accountability Office—Salaries and Expenses'', there is appropriated $2,000,000, for an additional amount for fiscal year 2024, to remain available until expended, of which $1,000,000 shall be for the oversight of amounts provided in this Act to respond to the situation in Ukraine and for related expenses, division M of Public Law 117–328, division B of Public Law 117–180, Public Law 117–128, and division N of Public Law 117–103 and of which $1,000,000 shall be for audits and investigations relating to disasters and emergencies declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) for calendar year 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 141. Notwithstanding section 101, section 126 of division J of Public Law 117–328 shall be applied during the period covered by this Act by substituting ''fiscal year 2017, fiscal year 2018, and fiscal year 2019'' for ''fiscal year 2017 and fiscal year 2018''.

SEC. 142. In addition to amounts otherwise provided by section 101, for ''Bilateral Economic Assistance—Funds Appropriated to the President—Economic Support Fund'', there is appropriated $1,650,000,000, for an additional amount for fiscal year 2024, to remain available until September 30, 2025, for assistance for Ukraine, which may include budget support: *Provided*, That such funds may be made available notwithstanding any other provision of law that restricts assistance to foreign countries and may be made available as contributions: *Provided further*, That the authorities and conditions of section 1705 of title VII of division M of Public Law 117–328 shall apply to funds provided by this section: *Provided further*, That of such funds, $1,000,000 shall be transferred to ''Department of State and Related Agency—Department of State—Administration of Foreign Affairs—Office of Inspector General'' and $1,000,000 shall be transferred to ''United States Agency for International Development—Funds Appropriated to the President—Office of Inspector General'': *Provided further*, That such transfer authority is in addition to any transfer authority otherwise provided by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 143. The authority provided by section 2401 of the Afghanistan Supplemental Appropriations Act, 2022 (division C of Public Law 117–43) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 144. Notwithstanding section 101, the matter under the heading ''Bilateral Economic Assistance—Independent Agencies—Millennium Challenge Corporation'' in title III of division K of Public Law 117–328 shall be applied by inserting the following new provisos before the last proviso: ''*Provided further*, That the member of the Board described in section 604(c)(3)(B)(ii) of the Millennium Challenge Act of 2003, as amended (22 U.S.C. 7703(c)(3)(B)(ii)), whose term began on September 16, 2019, shall continue to serve in such appointment until March 31, 2024: *Provided further*, That in the event that a new member of the Board described in section 604(c)(3)(B) of such Act (22 U.S.C. 7703(c)(3)(B)) is appointed prior to March 31, 2024, the term of the member of the Board whose term began on September 16, 2019, shall terminate as of the date of such appointment:''.

SEC. 145. Notwithstanding section 101, the matter preceding the first proviso under the heading ''Department of Transportation—Federal Aviation Administration—Facilities and Equipment'' in title I of division L of Public Law 117–328 shall be applied by substituting ''$617,000,000'' for ''$570,000,000'' and substituting ''$2,174,200,000'' for ''$2,221,200,000''.

DIVISION B—OTHER MATTERS

TITLE I—EXTENSIONS AND OTHER MATTERS

SEC. 2101. EXTENSION OF CERTAIN PROVISIONS OF THE COMPACT OF FREE ASSOCIATION WITH THE FEDERATED STATES OF MICRONESIA AND THE FEDERAL PROGRAM AND SERVICES AGREEMENTS WITH THE FEDERATED STATES OF MICRONESIA AND THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) GRANT AND OTHER FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—During the period beginning on October 1, 2023, and ending on November 17, 2023, any activities described in sections 211, 212, and 215 of the Compact of Free Association between the Government of the United States of America and the Government of the Federated States of Micronesia set forth in section 201(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188) shall, with the mutual consent of the Federated States of Micronesia, continue in the manner authorized and required for fiscal year 2023 under the agreements described in paragraphs (4) and (5) of section 462(b) of that Compact.

(2) FUNDING.—There is appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the activities authorized under paragraph (1) an amount equal to the pro rata portion of the amount appropriated for those activities for fiscal year 2023.

(b) FEDERAL PROGRAMS AND SERVICES.—During the period beginning on October 1, 2023, and ending on the date on which a new Federal programs and services agreement with the applicable country enters into force, any activities described in sections 131, 132, and 221(a) of the Compact of Free Association between the Government of the United States of America and the Government of the Federated States of Micronesia set forth in section 201(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188) and sections 131, 132, and 221(a) of the Compact of Free Association between the Government of the United States of America and the Government of the Republic of the Marshall Islands set forth in section 201(b) of that Act shall, with the mutual consent of the Federated States of Micronesia or the Republic of the Marshall Islands, as applicable, continue in the manner authorized and required for fiscal year 2023 under the agreement described in section 462(b)(1) of the Compact of Free Association between the Government of the United States of America and the Government of the Federated States of Micronesia set forth in section 201(a) of that Act and the agreement described in section 462(b)(1) of the Compact of Free Association between the Government of the United States of America and the Government of the Republic of the Marshall Islands set forth in section 201(b) of that Act, respectively.

SEC. 2102. EXTENSION OF DEADLINE TO PROMULGATE CERTAIN REGULATIONS.

Section 413(a) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5373(a)) is amended—

(1) in paragraph (2), by striking ''21 months'' and inserting ''38 months''; and

(2) in paragraph (3), by striking ''30 months'' and inserting ''50 months''.

TITLE II—FAA EXTENSION

Subtitle A—Federal Aviation Programs

SEC. 2201. AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 48103(a) of title 49, United States Code, is amended—

(1) in paragraph (5) by striking the ''and'' at the end;

(2) in paragraph (6) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(7) $842,076,502 for the period beginning on October 1, 2023, and ending on December 31, 2023.''.

(b) OBLIGATION AUTHORITY.—Subject to limitations specified in advance in appropriation Acts, sums made available pursuant to the amendment made by subsection (a) may be obligated at any time through September 30, 2024, and shall remain available until expended.

(c) PROGRAM IMPLEMENTATION.—For purposes of calculating funding apportionments and meeting other requirements under sections 47114, 47115, 47116, and 47117 of title 49, United States Code, for the period beginning on October 1, 2023, and ending on December 31, 2023, the Administrator of the Federal Aviation Administration shall—

(1) first calculate such funding apportionments on an annualized basis as if the total amount available under section 48103 of such title for fiscal year 2024 was $3,350,000,000; and

(2) then reduce by 75 percent—

(A) all funding apportionment amounts calculated under paragraph (1); and

(B) amounts made available pursuant to subsections (b) and (f)(2) of section 47117 of such title.

(d) EXTENSION OF PROJECT GRANT AUTHORITY.—Section 47104(c) of title 49, United States Code, is amended in the matter preceding paragraph (1) by striking ''September 30, 2023,'' and inserting ''December 31, 2023,''.

(e) EXTENSION OF SPECIAL RULE FOR APPORTIONMENTS.—Section 47114(c)(1)(J) of title 49, United States Code, is amended by striking ''2023 to'' and inserting ''2023, and for the period beginning on October 1, 2023, and ending on December 31, 2023, to''.

SEC. 2202. EXTENSION OF EXPIRING AUTHORITIES; MISCELLANEOUS AUTHORIZATIONS.

(a) AUTHORITY TO PROVIDE INSURANCE.—Section 44310(b) of title 49, United States Code, is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(b) UNMANNED AIRCRAFT TEST RANGES.—Section 44803(h) of title 49, United States Code, is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(c) SPECIAL AUTHORITY FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.—Section 44807(d) of title 49, United States Code, is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(d) EXTENSION OF AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION AND ENFORCEMENT.—Section 44810(h) of title 49, United States Code, is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(e) COMPETITIVE ACCESS REPORTING REQUIREMENT.—Section 47107(r)(3) of title 49, United States Code, is amended by striking ''October 1, 2023'' and inserting ''January 1, 2024''.

(f) MARSHALL ISLANDS, MICRONESIA, AND PALAU.—Section 47115(i) of title 49, United States Code, is amended by inserting '', and for the period beginning on October 1, 2023, and ending on December 31, 2023'' after ''fiscal years 2018 through 2023''.

(g) SUPPLEMENTAL DISCRETIONARY FUNDS.—Section 47115(j)(4)(A) of title 49, United States Code, is amended by inserting at the end the following:

''(vi) $140,401,803 for the period beginning on October 1, 2023, and ending on December 31, 2023.''.

(h) COMPATIBLE LAND USE PLANNING AND PROJECTS BY STATE AND LOCAL GOVERNMENTS.—Section 47141(f) of title 49, United States Code, is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(i) NON-MOVEMENT AREA SURVEILLANCE PILOT PROGRAM.—Section 47143(c) of title 49, United States Code, is amended by striking ''October 1, 2023'' and inserting ''January 1, 2024''.

(j) WEATHER REPORTING PROGRAMS.—Section 48105 of title 49, United States Code, is amended by adding at the end the following:

''(5) $9,803,278 for the period beginning on October 1, 2023, and ending on December 31, 2023.''.

(k) LEARNING PERIOD.—Section 50905(c)(9) of title 51, United States Code, is amended by striking ''October 1, 2023'' and inserting ''January 1, 2024''.

(l) MIDWAY ISLAND AIRPORT.—Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176; 117 Stat. 2518) is amended by inserting ''and for the period beginning on October 1, 2023, and ending on December 31, 2023,'' after ''fiscal years 2018 through 2023''.

(m) FINAL ORDER ESTABLISHING MILEAGE AND ADJUSTMENT ELIGIBILITY.—Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(n) CONTRACT WEATHER OBSERVERS.—Section 2306(b) of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 641) is amended by striking ''October 1, 2023'' and inserting ''January 1, 2024''.

(o) REMOTE TOWER PILOT PROGRAM.—Section 161(a)(10) of the FAA Reauthorization Act of 2018 (49 U.S.C. 47104 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(p) AIRPORT ACCESS ROADS IN REMOTE LOCATIONS; STORAGE FACILITIES FOR SNOW REMOVAL EQUIPMENT.—Section 162 of the FAA Reauthorization Act of 2018 (49 U.S.C. 47102 note) is amended by inserting ''and for the period beginning on October 1, 2023, and ending on December 31, 2023'' after ''fiscal years 2018 through 2023''.

(q) UAS REMOTE DETECTION AND IDENTIFICATION PILOT PROGRAM.—Section 372(d) of the FAA Reauthorization Act of 2018 (49 U.S.C. 44810 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(r) ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.—Section 411(h) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(s) AVIATION CONSUMER ADVOCATE.—Section 424(e) of the FAA Reauthorization Act of 2018 (49 U.S.C. 42302 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(t) ADVISORY COMMITTEE ON AIR TRAVEL NEEDS OF PASSENGERS WITH DISABILITIES.—Section 439(g) of the FAA Reauthorization Act of 2018 (49 U.S.C. 41705 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(u) ENHANCED TRAFFIC SERVICES.—Section 547(e) of the FAA Reauthorization Act of 2018 (49 U.S.C. 40103 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(v) PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.—Section 822(k) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47141 note) is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

SEC. 2203. FEDERAL AVIATION ADMINISTRATION OPERATIONS.

Section 106(k) of title 49, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (E) by striking ''and'' at the end;

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

(C) by inserting after subparagraph (F) the following:

''(G) $2,995,027,322 for the period beginning on October 1, 2023, and ending on December 31, 2023.''; and

(2) in paragraph (3) by inserting ''and for the period beginning on October 1, 2023, and ending on December 31, 2023'' after ''fiscal years 2018 through 2023''.

SEC. 2204. AIR NAVIGATION FACILITIES AND EQUIPMENT.

Section 48101(a) of title 49, United States Code, is amended by adding at the end the following:

''(7) $740,273,224 for the period beginning on October 1, 2023, and ending on December 31, 2023.''.

SEC. 2205. RESEARCH, ENGINEERING, AND DEVELOPMENT.

Section 48102(a) of title 49, United States Code, is amended—

(1) in paragraph (14), by striking ''and'';

(2) in paragraph (15) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(16) $64,098,360 for the period beginning on October 1, 2023, and ending on December 31, 2023.''.

SEC. 2206. SMALL COMMUNITY AIR SERVICE.

(a) ESSENTIAL AIR SERVICE AUTHORIZATION.—Section 41742(a)(2) of title 49, United States Code, is amended by striking ''2023'' and inserting ''2023, and $89,191,486 for the period beginning on October 1, 2023, and ending on December 31, 2023,''.

(b) AIRPORTS NOT RECEIVING SUFFICIENT SERVICE.—Section 41743(e)(2) of title 49, United States Code, is amended by inserting '', and $2,513,661 for the period beginning on October 1, 2023, and ending on December 31, 2023,'' after ''fiscal years 2018 through 2023''.

Subtitle B—Aviation Revenue Provisions

SEC. 2211. EXPENDITURE AUTHORITY FROM AIRPORT AND AIRWAY TRUST FUND.

(a) IN GENERAL.—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A) by striking ''October 1, 2023'' and inserting ''January 1, 2024''; and

(2) in subparagraph (A) by striking the semicolon at the end and inserting ''or title II of division B of the Continuing Appropriations Act, 2024 and Other Extensions Act;''.

(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of such Code is amended by striking ''October 1, 2023'' and inserting ''January 1, 2024''.

SEC. 2212. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(b) TICKET TAXES.—

(1) PERSONS.—Section 4261(k)(1)(A)(ii) of such Code is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(2) PROPERTY.—Section 4271(d)(1)(A)(ii) of such Code is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(c) FRACTIONAL OWNERSHIP PROGRAMS.—

(1) FUEL TAX.—Section 4043(d) of such Code is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

(2) TREATMENT AS NONCOMMERCIAL AVIATION.—Section 4083(b) of such Code is amended by striking ''October 1, 2023'' and inserting ''January 1, 2024''.

(3) EXEMPTION FROM TICKET TAX.—Section 4261(j) of such Code is amended by striking ''September 30, 2023'' and inserting ''December 31, 2023''.

Subtitle C—Expiring Counter-UAS Authorities

SEC. 2221. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 210G(i) of the Homeland Security Act of 2002 (6 U.S.C. 124n(i)) is amended by striking ''on the date that is 4 years after the date of enactment of this section'' and inserting ''on November 18, 2023''.

TITLE III—HEALTH AND HUMAN SERVICES

Subtitle A—Animal Drug and Animal Generic Drug User Fee Amendments

CHAPTER 1—FEES RELATING TO ANIMAL DRUGS

SEC. 2301. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This chapter may be cited as the ''Animal Drug User Fee Amendments of 2023''.

(b) FINDING.—Congress finds that the fees authorized by the amendments made in this chapter will be dedicated toward expediting the animal drug development process and the review of new and supplemental animal drug applications and investigational animal drug submissions as set forth in the goals identified for purposes of part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–11 et seq.), in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 2302. DEFINITIONS.

Section 739 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–11) is amended—

(1) in paragraph (3), by striking ''national drug code'' and inserting ''National Drug Code''; and

(2) by amending paragraph (8)(I) to read as follows:

''(I) The activities necessary for implementation of the United States and European Union Mutual Recognition Agreement for Pharmaceutical Good Manufacturing Practice Inspections, and the United States and United Kingdom Mutual Recognition Agreement Sectoral Annex for Pharmaceutical Good Manufacturing Practices, and other mutual recognition agreements, with respect to animal drug products subject to review, including implementation activities prior to and following product approval.''.

SEC. 2303. AUTHORITY TO ASSESS AND USE ANIMAL DRUG FEES.

(a) IN GENERAL.—Section 740(a)(1)(A)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(a)(1)(A)(ii)) is amended—

(1) in subclause (I), by striking ''and'' at the end;

(2) in subclause (II), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(III) an application for conditional approval under section 571 of a new animal drug for which an animal drug application submitted under section 512(b)(1) has been previously approved under section 512(d)(1) for another intended use.''.

(b) FEE REVENUE AMOUNTS.—Section 740(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(b)(1)) is amended to read as follows:

''(1) IN GENERAL.—Subject to subsections (c), (d), (f), and (g), for each of fiscal years 2024 through 2028, the fees required under subsection (a) shall be established to generate a total revenue amount of $33,500,000.''.

(c) ANNUAL FEE SETTING; ADJUSTMENTS.—

(1) ANNUAL FEE SETTING.—Section 740(c)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(c)(1)) is amended to read as follows:

''(1) ANNUAL FEE SETTING.—Not later than 60 days before the start of each fiscal year beginning after September 30, 2023, the Secretary shall—

''(A) establish for that fiscal year animal drug application fees, supplemental animal drug application fees, animal drug sponsor fees, animal drug establishment fees, and animal drug product fees based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection; and

''(B) publish such fee revenue amounts and fees in the Federal Register.''.

(2) INFLATION ADJUSTMENT.—Section 740(c)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(c)(2)) is amended—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''2020'' and inserting ''2025''; and

(ii) in clause (iii), by striking ''Baltimore'' and inserting ''Arlington-Alexandria''; and

(B) in subparagraph (B), by striking ''2020'' and inserting ''2025''.

(3) WORKLOAD ADJUSTMENTS.—Section 740(c)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(c)(3)) is amended—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) by striking ''2020'' and inserting ''2025''; and

(II) by striking ''subparagraphs (B) and (C)'' and inserting ''subparagraph (B)'';

(ii) in clause (i) by striking ''and'' at the end; and

(iii) by striking clause (ii) and inserting the following:

''(ii) such adjustment shall be made for each fiscal year that the adjustment determined by the Secretary is greater than 3 percent, except for the first fiscal year that the adjustment is greater than 3 percent; and

''(iii) the Secretary shall publish in the Federal Register notice under paragraph (1) the amount of such adjustment and the supporting methodologies.'';

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

(4) FINAL YEAR ADJUSTMENT.—Section 740(c)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(c)(4)) is amended to read as follows:

''(4) OPERATING RESERVE ADJUSTMENT.—

''(A) IN GENERAL.—For fiscal year 2025 and each subsequent fiscal year, after the fee revenue amount established under subsection (b) is adjusted in accordance with paragraphs (2) and (3), the Secretary shall—

''(i) increase the fee revenue amount for such fiscal year, if necessary to provide an operating reserve of not less than 12 weeks; or

''(ii) if the Secretary has an operating reserve in excess of the number of weeks specified in subparagraph (C) for that fiscal year, the Secretary shall decrease the fee revenue amount to provide not more than the number of weeks specified in subparagraph (C) for that fiscal year.

''(B) CARRYOVER USER FEES.—For purposes of this paragraph, the operating reserve of carryover user fees for the process for the review of animal drug applications does not include carryover user fees that have not been appropriated.

''(C) NUMBER OF WEEKS OF OPERATING RESERVES.—The number of weeks of operating reserves specified in this subparagraph is—

''(i) 22 weeks for fiscal year 2025;

''(ii) 20 weeks for fiscal year 2026;

''(iii) 18 weeks for fiscal year 2027; and

''(iv) 16 weeks for fiscal year 2028.

''(D) PUBLICATION.—If an adjustment to the operating reserve is made under this paragraph, the Secretary shall publish in the Federal Register notice under paragraph (1) the rationale for the amount of the adjustment and the supporting methodologies.''.

(d) EXEMPTION FROM FEES.—Section 740(d)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(d)(4)) is amended to read as follows:

''(4) EXEMPTION FROM FEES.—Fees under paragraphs (2), (3), and (4) of subsection (a) shall not apply with respect to any person who is the named applicant or sponsor of an animal drug application, supplemental animal drug application, or investigational animal drug submission if such application or submission involves the intentional genomic alteration of an animal that is intended to produce a drug, device, or biological product subject to fees under section 736, 738, 744B, or 744H.''.

(e) CREDITING AND AVAILABILITY OF FEES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 740(g)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(g)(3)) is amended by striking ''2019 through 2023'' and inserting ''2024 through 2028''.

(2) COLLECTION SHORTFALLS.—Section 740(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(g)) is amended—

(A) in paragraph (3), by striking ''and paragraph (5)''; and

(B) by striking paragraph (5).

SEC. 2304. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–13) is amended—

(1) in subsection (a), by striking ''2018'' and inserting ''2023'';

(2) by striking ''2019'' each place it appears in subsections (a) and (b) and inserting ''2024''; and

(3) in subsection (d)—

(A) in paragraph (1), by striking ''2023'' and inserting ''2028''; and

(B) in paragraph (5), by striking ''2023'' and inserting ''2028''.

SEC. 2305. SAVINGS CLAUSE.

Notwithstanding the amendments made by this chapter, part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–11 et seq.), as in effect on the day before the date of enactment of this chapter, shall continue to be in effect with respect to animal drug applications and supplemental animal drug applications (as defined in such part as of such day) that on or after October 1, 2018, but before October 1, 2023, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2024.

SEC. 2306. EFFECTIVE DATE.

The amendments made by this chapter shall take effect on October 1, 2023, or the date of the enactment of this Act, whichever is later, except that fees under part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–11 et seq.), as amended by this chapter, shall be assessed for animal drug applications and supplemental animal drug applications received on or after October 1, 2023, regardless of the date of the enactment of this Act.

SEC. 2307. SUNSET DATES.

(a) AUTHORIZATION.—Sections 739 and 740 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 21 U.S.C. 379j–11; 379j–12) shall cease to be effective October 1, 2028.

(b) REPORTING REQUIREMENTS.—Section 740A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–13) shall cease to be effective January 31, 2029.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2023, subsections (a) and (b) of section 107 of the Animal Drug User Fee Amendments of 2018 (Public Law 115–234) are repealed.

CHAPTER 2—FEES RELATING TO GENERIC ANIMAL DRUGS

SEC. 2311. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This chapter may be cited as the ''Animal Generic Drug User Fee Amendments of 2023''.

(b) FINDING.—Congress finds that the fees authorized by the amendments made in this chapter will be dedicated toward expediting the generic new animal drug development process and the review of abbreviated applications for generic new animal drugs, supplemental abbreviated applications for generic new animal drugs, and investigational submissions for generic new animal drugs as set forth in the goals identified for purposes of part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21 et seq.), in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 2312. AUTHORITY TO ASSESS AND USE GENERIC NEW ANIMAL DRUG FEES.

(a) GENERIC INVESTIGATIONAL NEW ANIMAL DRUG FILE FEE.—Section 741(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(a)) is amended by adding at the end the following:

''(4) GENERIC INVESTIGATIONAL NEW ANIMAL DRUG FILE FEE.—

''(A) IN GENERAL.—

''(i) NEW FILE REQUEST.—Each person that submits a request to establish a generic investigational new animal drug file on or after October 1, 2023, shall be assessed a fee as established under subsection (c).

''(ii) NEW SUBMISSION TO ESTABLISHED FILE.—Each person that makes a submission to a generic investigational new animal drug file on or after October 1, 2023, where such file was established prior to October 1, 2023, shall be assessed a fee for the first submission on or after October 1, 2023, as established under subsection (c).

''(B) PAYMENT.—

''(i) NEW FILE REQUEST.—The fee required by subparagraph (A)(i) shall be due upon submission of the request to establish the generic investigational new animal drug file.

''(ii) NEW SUBMISSION TO ESTABLISHED FILE.—The fee required by subparagraph (A)(ii) shall be due upon the first submission to the generic investigational new animal drug file.

''(C) EXCEPTIONS.—

''(i) TERMINATING AN EXISTING GENERIC INVESTIGATIONAL NEW ANIMAL DRUG FILE.—If a person makes a submission to the generic investigational new animal drug file to terminate that file, the person shall not be subject to a fee under subparagraph (A)(ii) for that submission.

''(ii) TRANSFERRING AN EXISTING GENERIC INVESTIGATIONAL NEW ANIMAL DRUG FILE.—If a person makes a submission to the generic investigational new animal drug file to transfer that file to a different generic new animal drug sponsor, the person shall not be subject to a fee under subparagraph (A)(ii) for that submission.''.

(b) FEE REVENUE AMOUNTS.—Section 741(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''2019 through 2023'' and inserting ''2024 through 2028''; and

(B) by striking ''$18,336,340'' and inserting ''$25,000,000''; and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by striking ''25 percent'' and inserting ''20 percent''; and

(ii) by inserting before the semicolon at the end the following: ''and fees under subsection (a)(4) (relating to generic investigational new animal drug files)'';

(B) in subparagraph (B), by striking ''37.5 percent'' and inserting ''40 percent''; and

(C) in subparagraph (C), by striking ''37.5 percent'' and inserting ''40 percent''.

(c) ANNUAL FEE SETTING; ADJUSTMENTS.—

(1) ANNUAL FEE SETTING.— Section 741(c)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(c)(1)) is amended to read as follows:

''(1) ANNUAL FEE SETTING.—The Secretary shall establish, not later than 60 days before the start of each fiscal year beginning after September 30, 2023, for that fiscal year—

''(A) abbreviated application fees that are based on the revenue amounts established under subsection (b), the adjustments provided under this subsection, and the amount of fees anticipated to be collected under subsection (a)(4) during that fiscal year;

''(B) generic new animal drug sponsor fees, and generic new animal drug product fees, based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection; and

''(C) a generic investigational new animal drug file fee of $50,000 for each request or submission described in subsection (a)(4)(A).''.

(2) INFLATION ADJUSTMENT.—Section 741(c)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(c)(2)) is amended—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''2020'' and inserting ''2025''; and

(ii) in clause (iii), by striking ''Baltimore'' and inserting ''Arlington-Alexandria''; and

(B) in subparagraph (B), by striking ''2020'' and inserting ''2025''.

(3) WORKLOAD ADJUSTMENT.—Section 741(c)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(c)(3)) is amended—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''2020'' and inserting ''2025'';

(ii) in clause (i)—

(I) by striking ''and investigational generic new animal drug protocol submissions'' and inserting ''investigational generic new animal drug protocol submissions, requests to establish a generic investigational new animal drug file, and generic investigational new animal drug meeting requests''; and

(II) by striking ''; and'' and inserting a semicolon;

(iii) by redesignating clause (ii) as clause (iii); and

(iv) by inserting after clause (i) the following:

''(ii) if the workload adjustment calculated by the Secretary under clause (i) exceeds 25 percent, the Secretary shall use 25 percent for the adjustment; and''; and

(B) in subparagraph (B), by striking ''2021 through 2023'' and inserting ''2026 through 2028''.

(4) FINAL YEAR ADJUSTMENT.—Section 741(c)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(c)(4)) is amended—

(A) by striking ''2023'' each place it appears and inserting ''2028''; and

(B) by striking ''2024'' and inserting ''2029''.

(d) FEE WAIVER OR REDUCTION; EXEMPTION FROM FEES.—Subsection (d) of section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21) is amended to read as follows:

''(d) FEE WAIVER OR REDUCTION.—The Secretary shall grant a waiver from, or a reduction of, one or more fees assessed under subsection (a) where the Secretary finds that the generic new animal drug is intended solely to provide for a minor use or minor species indication.''.

(e) EFFECT OF FAILURE TO PAY FEES.—Section 741(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(e)) is amended by striking ''The Secretary may discontinue'' and inserting ''A request to establish a generic investigational new animal drug file that is submitted by a person subject to fees under subsection (a) shall be considered incomplete and shall not be accepted for action by the Secretary until all fees owed by such person have been paid. The Secretary may discontinue''.

(f) ASSESSMENT OF FEES.—Section 741(f)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(f)(2)) is amended by striking ''sponsors, and generic new animal drug products at any time'' and inserting ''products, generic new animal drug sponsors, and generic investigational new animal drug files at any time''.

(g) CREDITING AND AVAILABILITY OF FEES.—Section 741(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(g)) is amended—

(1) in paragraph (3), by striking ''2019 through 2023'' and inserting ''2024 through 2028'';

(2) by striking the second paragraph (4) (relating to Offset), as added by section 202 of the Animal Generic Drug User Fee Amendments of 2013 (Public Law 113–14); and

(3) by adding at the end the following:

''(5) RECOVERY OF COLLECTION SHORTFALLS.—The amount of fees otherwise authorized to be collected under this section shall be increased—

''(A) for fiscal year 2026, by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2024 falls below the amount of fees authorized for fiscal year 2024 under paragraph (3);

''(B) for fiscal year 2027, by the amount, if any, by which the amount collected under this section and appropriated for fiscal year 2025 falls below the amount of fees authorized for fiscal year 2025 under paragraph (3); and

''(C) for fiscal year 2028, by the amount, if any, by which the amount collected under this section and appropriated for fiscal years 2026 and 2027 (including estimated collections for fiscal year 2027) falls below the amount of fees authorized for such fiscal years under paragraph (3).''.

(h) DEFINITIONS.—Section 741(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21(k)) is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (13), respectively;

(2) by inserting after paragraph (7) the following:

''(8) GENERIC INVESTIGATIONAL NEW ANIMAL DRUG MEETING REQUEST.—The term 'generic investigational new animal drug meeting request' means a request submitted by a generic new animal drug sponsor to meet with the Secretary to discuss an investigational submission for a generic new animal drug.'';

(3) in paragraph (11) (as so redesignated), by adding at the end the following:

''(I) The activities necessary for exploration and implementation of the United States and European Union Mutual Recognition Agreement for Pharmaceutical Good Manufacturing Practice Inspections, and the United States and United Kingdom Mutual Recognition Agreement Sectoral Annex for Pharmaceutical Good Manufacturing Practices, and other mutual recognition agreements, with respect to generic new animal drug products subject to review, including implementation activities prior to and following product approval.''; and

(4) by inserting after paragraph (11) (as so redesignated) the following:

''(12) REQUEST TO ESTABLISH A GENERIC INVESTIGATIONAL NEW ANIMAL DRUG FILE.—The term 'request to establish a generic investigational new animal drug file' means the submission to the Secretary of a request to establish a generic investigational new animal drug file to contain investigational submissions for a generic new animal drug.''.

SEC. 2313. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–22) is amended—

(1) in subsection (a), by striking ''2018'' and inserting ''2023'';

(2) by striking ''2019'' each place it appears in subsections (a) and (b) and inserting ''2024''; and

(3) in subsection (d), by striking ''2023'' each place it appears and inserting ''2028''.

SEC. 2314. SAVINGS CLAUSE.

Notwithstanding the amendments made by this chapter, part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21 et seq.), as in effect on the day before the date of enactment of this chapter, shall continue to be in effect with respect to abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a generic new animal drug (as defined in such part as of such day) that on or after October 1, 2018, but before October 1, 2023, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2024.

SEC. 2315. EFFECTIVE DATE.

The amendments made by this chapter shall take effect on October 1, 2023, or the date of the enactment of this Act, whichever is later, except that fees under part 5 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21 et seq.), as amended by this chapter, shall be assessed for abbreviated applications for a generic new animal drug and supplemental abbreviated applications for a generic new animal drug received on or after October 1, 2023, regardless of the date of enactment of this Act.

SEC. 2316. SUNSET DATES.

(a) AUTHORIZATION.—Section 741 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–21) shall cease to be effective October 1, 2028.

(b) REPORTING REQUIREMENTS.—Section 742 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–22) shall cease to be effective January 31, 2029.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2023, subsections (a) and (b) of section 206 of the Animal Generic Drug User Fee Amendments of 2018 (Public Law 115–234) are repealed.

Subtitle B—Public Health Extenders

SEC. 2321. EXTENSION FOR COMMUNITY HEALTH CENTERS, NATIONAL HEALTH SERVICE CORPS, AND TEACHING HEALTH CENTERS THAT OPERATE GME PROGRAMS.

(a) TEACHING HEALTH CENTERS THAT OPERATE GRADUATE MEDICAL EDUCATION PROGRAMS.—Section 340H(g) of the Public Health Service Act (42 U.S.C. 256h(g)) is amended—

(1) by striking ''and $126,500,000'' and inserting ''$126,500,000''; and

(2) by inserting ''and $16,635,616 for the period beginning on October 1, 2023, and ending on November 17, 2023,'' before ''to remain available''.

(b) EXTENSION FOR COMMUNITY HEALTH CENTERS.—Section 10503(b)(1)(F) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(1)(F)) is amended—

(1) by striking ''and $4,000,000,000'' and inserting '', $4,000,000,000''; and

(2) by inserting '', and $526,027,397 for the period beginning on October 1, 2023, and ending on November 17, 2023'' before the semicolon.

(c) EXTENSION FOR THE NATIONAL HEALTH SERVICE CORPS.—Section 10503(b)(2) of the Patient Protection and Affordable Care Act (42 U.S.C. 254b–2(b)(2)) is amended—

(1) in subparagraph (G), by striking ''and'' at the end;

(2) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(I) $40,767,123 for the period beginning on October 1, 2023, and ending on November 17, 2023.''.

(d) APPLICATION OF PROVISIONS.—Amounts appropriated pursuant to the amendments made by this section shall be subject to the requirements contained in Public Law 117–328 for funds for programs authorized under sections 330 through 340 of the Public Health Service Act (42 U.S.C. 254b et seq.).

(e) TECHNICAL AND CONFORMING AMENDMENT.—Section 3014(h)(4) of title 18, United States Code, is amended—

(1) by striking ''Other Extensions Act,,'' and inserting ''Other Extensions Act,''; and

(2) by striking ''and section 301(d) of division BB of the Consolidated Appropriations Act, 2021.'' and inserting ''section 301(d) of division BB of the Consolidated Appropriations Act, 2021, and section 2321(d) of the Continuing Appropriations Act, 2024 and Other Extensions Act''.

SEC. 2322. EXTENSION OF SPECIAL DIABETES PROGRAMS.

(a) EXTENSION OF SPECIAL DIABETES PROGRAMS FOR TYPE I DIABETES.—Section 330B(b)(2) of the Public Health Service Act (42 U.S.C. 254c–2(b)(2)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(E) $19,726,027 for the period beginning on October 1, 2023, and ending on November 17, 2023, to remain available until expended.''.

(b) EXTENDING FUNDING FOR SPECIAL DIABETES PROGRAMS FOR INDIANS.—Section 330C(c)(2) of the Public Health Service Act (42 U.S.C. 254c–3(c)(2)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(E) $19,726,027 for the period beginning on October 1, 2023, and ending on November 17, 2023, to remain available until expended.''.

Subtitle C—Necessary Authorities To Respond to Threats

SEC. 2331. EXTENSION OF AUTHORITY TO MAKE CERTAIN APPOINTMENTS OF NATIONAL DISASTER MEDICAL SYSTEM PERSONNEL.

Section 2812(c)(4)(B) of the Public Health Service Act (42 U.S.C. 300hh–11(c)(4)(B)) is amended by striking ''September 30, 2023'' and inserting ''November 17, 2023''.

SEC. 2332. TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319(e)(8) of the Public Health Service Act (42 U.S.C. 247d(e)(8)) is amended by striking ''September 30, 2023'' and inserting ''November 17, 2023''.

SEC. 2333. EXTENSION OF NATIONAL ADVISORY COMMITTEES.

(a) NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.—Section 2811A(g) of the Public Health Service Act (42 U.S.C. 300hh–10b(g)) is amended by striking ''September 30, 2023'' and inserting ''November 17, 2023''.

(b) NATIONAL ADVISORY COMMITTEE ON SENIORS AND DISASTERS.—Section 2811B(g)(1) of the Public Health Service Act (42 U.S.C. 300hh–10c(g)(1)) is amended by striking ''September 30, 2023'' and inserting ''November 17, 2023''.

(c) NATIONAL ADVISORY COMMITTEE ON INDIVIDUALS WITH DISABILITIES AND DISASTERS.—Section 2811C(g)(1) of the Public Health Service Act (42 U.S.C. 300hh–10d(g)(1)) is amended by striking ''September 30, 2023'' and inserting ''November 17, 2023''.

Subtitle D—Medicaid

SEC. 2341. DSH DELAY.

Section 1923(f)(7)(A) of the Social Security Act (42 U.S.C. 1396r–4(f)(7)(A)) is amended—

(1) in clause (i)—

(A) in the matter preceding subclause (I), by striking ''For each of fiscal years 2024 through 2027'' and inserting ''For the period beginning November 18, 2023, and ending September 30, 2024, and for each of fiscal years 2025 through 2027''; and

(B) in subclauses (I) and (II), by inserting ''or period'' after ''the fiscal year'' each place it appears; and

(2) in clause (ii), by striking ''for each of fiscal years 2024 through 2027'' and inserting ''for the period beginning November 18, 2023, and ending September 30, 2024, and for each of fiscal years 2025 through 2027.''.

SEC. 2342. MIF REDUCTION.

Section 1941(b)(3)(A) of the Social Security Act (42 U.S.C. 1396w–1(b)(3)(A)) is amended by striking ''$7,000,000,000'' and inserting ''$6,357,117,810''.

Subtitle E—Human Services

SEC. 2351. EXTENSION OF CHILD AND FAMILY SERVICES PROGRAMS.

Activities authorized by part B of title IV of the Social Security Act shall continue through November 17, 2023, in the manner authorized for fiscal year 2023, 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.

SEC. 2352. SEXUAL RISK AVOIDANCE EDUCATION EXTENSION.

Section 510 of the Social Security Act (42 U.S.C. 710) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting ''and for the period beginning on October 1, 2023, and ending on November 17, 2023'' after ''2023''; and

(II) by inserting ''(or, with respect to such period, for fiscal year 2024)'' after ''for the fiscal year''; and

(ii) in subparagraph (A), by inserting ''or period'' after ''fiscal year'' each place it appears; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''and with respect to fiscal year 2024, for the period described in paragraph (1)'' after ''2023''; and

(ii) in subparagraph (B)(i), by inserting ''(or, with respect to fiscal year 2024, for the period described in paragraph (1))'' after ''for the fiscal year''; and

(2) in subsection (f)—

(A) in paragraph (1), by inserting '', and for the period beginning on October 1, 2023, and ending on November 17, 2023, an amount equal to the pro rata portion of the amount appropriated for the corresponding period for fiscal year 2023'' after ''2023''; and

(B) in paragraph (2), by inserting ''and for the period described in paragraph (1),'' after ''2023,''.

SEC. 2353. PERSONAL RESPONSIBILITY EDUCATION EXTENSION.

Section 513 of the Social Security Act (42 U.S.C. 713) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''and for the period beginning on October 1, 2023, and ending on November 17, 2023'' after ''2023''; and

(II) in clause (i), by inserting ''or period'' after ''for the fiscal year'';

(ii) in subparagraph (B)(i), by inserting the following after the period: ''The previous sentence shall not apply with respect to State allotments under this paragraph for the period beginning on October 1, 2023, and ending on November 17, 2023.''; and

(iii) in subparagraph (C)(i)—

(I) by inserting ''or the period described in subparagraph (A)'' after ''for a fiscal year''; and

(II) by inserting ''or period'' after ''the fiscal year'';

(B) in paragraph (3)—

(i) by inserting ''or the period described in paragraph (1)(A)'' after ''for a fiscal year''; and

(ii) by inserting ''or period'' after ''such fiscal year''; and

(C) in paragraph (4)—

(i) by inserting ''and for the period described in paragraph (1)(A)'' after ''fiscal years 2010 through 2023'';

(ii) by inserting ''and for the period so described'' after ''fiscal years 2012 through 2023''; and

(iii) by inserting ''or the period so described'' after ''for a fiscal year'';

(2) in subsection (c)—

(A) in each of paragraphs (1) and (2), by striking ''From'' and inserting ''Subject to paragraph (3), from''; and

(B) by adding at the end the following:

''(3) EXCEPTION.—Paragraphs (1) and (2) shall not apply with respect to any amount appropriated under subsection (f) for the period described in subsection (a)(1)(A).''; and

(3) in subsection (f), by inserting '', and for the period beginning on October 1, 2023, and ending on November 17, 2023, an amount equal to the pro rata portion of the amount appropriated for the corresponding period for fiscal year 2023'' after ''2023''.

TITLE IV—BUDGETARY EFFECTS

SEC. 2401. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

SA 1293. Mr. SCHUMER proposed an amendment to amendment SA 1292 proposed by Mr. SCHUMER (for Mrs. MURRAY) to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, 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 1294. Mr. SCHUMER proposed an amendment to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, 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 3 days after the date of enactment of this Act.

SA 1295. Mr. SCHUMER proposed an amendment to amendment SA 1294 proposed by Mr. SCHUMER to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; as follows:

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

SA 1296. Mr. CRUZ (for himself and Ms. LUMMIS) submitted an amendment intended to be proposed to amendment SA 1092 proposed by Mrs. MURRAY (for herself and Ms. COLLINS) to the bill H.R. 4366, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2024, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading ''OPERATIONS AND RESEARCH'' under the heading ''NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION'' in title I of division C, strike the period at the end and insert the following: '': *Provided*, That none of the funds made available under this Act may be used to pay the salary of an individual carrying out the responsibilities of the position of Administrator of the National Highway Traffic Safety Administration in an acting or temporary capacity who was nominated to that position and whose nomination was subsequently withdrawn.''.

SA 1297. Mr. CRUZ (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ADVANCING EFFORTS SEEKING COMPLIANCE BY MEXICO WITH TREATY ON UTILIZATION OF WATERS OF THE COLORADO AND TIJUANA RIVERS AND OF THE RIO GRANDE.

The Secretary of State shall use the voice, vote, diplomatic capital, and resources of the United States to ensure that United States diplomats and officials of the U.S. Section of the International Boundary and Water Commission are able to advance efforts seeking compliance by the United Mexican States with the Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande, signed at Washington February 3, 1944, and to establish understandings to provide predictable and reliable future deliveries of water by the United Mexican States.

SA 1298. Mr. CRUZ (for himself, Mr. LEE, Mr. COTTON, Mr. BARRASSO, Mr. TUBERVILLE, Mr. BRAUN, Mr. MARSHALL, and Mr. SCHMITT) submitted an amendment intended to be proposed to amendment SA 1292 proposed by Mr. SCHUMER (for Mrs. MURRAY) to the bill H.R. 3935, to amend title 49, United States Code, to reauthorize and improve the Federal Aviation Administration and other civil aviation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Secure the Border Act of 2023''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

DIVISION A—BORDER SECURITY

Sec. 101. Definitions.
Sec. 102. Border wall construction.
Sec. 103. Strengthening the requirements for barriers along the southern border.
Sec. 104. Border and port security technology investment plan.
Sec. 105. Border security technology program management.
Sec. 106. U.S. Customs and Border Protection technology upgrades.
Sec. 107. U.S. Customs and Border Protection personnel.
Sec. 108. Anti-Border Corruption Act reauthorization.
Sec. 109. Establishment of workload staffing models for U.S. Border Patrol and Air and Marine Operations of CBP.
Sec. 110. Operation Stonegarden.
Sec. 111. Air and Marine Operations flight hours.
Sec. 112. Eradication of carrizo cane and salt cedar.
Sec. 113. Border patrol strategic plan.
Sec. 114. U.S. Customs and Border Protection spiritual readiness.
Sec. 115. Restrictions on funding.
Sec. 116. Collection of DNA and biometric information at the border.
Sec. 117. Eradication of narcotic drugs and formulating effective new tools to address yearly losses of life; ensuring timely updates to U.S. Customs and Border Protection field manuals.
Sec. 118. Publication by U.S. Customs and Border Protection of operational statistics.
Sec. 119. Alien criminal background checks.
Sec. 120. Prohibited identification documents at airport security checkpoints; notification to immigration agencies.
Sec. 121. Prohibition against any COVID–19 vaccine mandate or adverse action against DHS employees.
Sec. 122. CBP One app limitation.
Sec. 123. Report on Mexican drug cartels.
Sec. 124. GAO study on costs incurred by States to secure the southwest border.
Sec. 125. Report by Inspector General of the Department of Homeland Security.

Sec. 126. Offsetting authorizations of appropriations.
Sec. 127. Report to Congress on foreign terrorist organizations.
Sec. 128. Assessment by Inspector General of the Department of Homeland Security on the mitigation of unmanned aircraft systems at the southwest border.

DIVISION B—IMMIGRATION ENFORCEMENT AND FOREIGN AFFAIRS

TITLE I—ASYLUM REFORM AND BORDER PROTECTION

Sec. 101. Safe third country.
Sec. 102. Credible fear interviews.
Sec. 103. Clarification of asylum eligibility.
Sec. 104. Exceptions.
Sec. 105. Employment authorization.
Sec. 106. Asylum fees.
Sec. 107. Rules for determining asylum eligibility.
Sec. 108. Firm resettlement.
Sec. 109. Notice concerning frivolous asylum applications.
Sec. 110. Technical amendments.
Sec. 111. Requirement for procedures relating to certain asylum applications.

TITLE II—BORDER SAFETY AND MIGRANT PROTECTION

Sec. 201. Inspection of applicants for admission.
Sec. 202. Operational detention facilities.

TITLE III—PREVENTING UNCONTROLLED MIGRATION FLOWS IN THE WESTERN HEMISPHERE

Sec. 301. United States policy regarding Western Hemisphere cooperation on immigration and asylum.
Sec. 302. Negotiations by Secretary of State.
Sec. 303. Mandatory briefings on United States efforts to address the border crisis.

TITLE IV—ENSURING UNITED FAMILIES AT THE BORDER

Sec. 401. Clarification of standards for family detention.

TITLE V—PROTECTION OF CHILDREN

Sec. 501. Findings.
Sec. 502. Repatriation of unaccompanied alien children.
Sec. 503. Special immigrant juvenile status for immigrants unable to reunite with either parent.
Sec. 504. Rule of construction.

TITLE VI—VISA OVERSTAYS PENALTIES

Sec. 601. Expanded penalties for illegal entry or presence.

TITLE VII—IMMIGRATION PAROLE REFORM

Sec. 701. Immigration parole reform.
Sec. 702. Implementation.
Sec. 703. Cause of action.
Sec. 704. Severability.

TITLE VIII—LEGAL WORKFORCE

Sec. 801. Employment eligibility verification process.
Sec. 802. Employment eligibility verification system.
Sec. 803. Recruitment, referral, and continuation of employment.
Sec. 804. Good faith defense.
Sec. 805. Preemption and States' rights.
Sec. 806. Repeal.
Sec. 807. Penalties.
Sec. 808. Fraud and misuse of documents.
Sec. 809. Protection of Social Security Administration programs.
Sec. 810. Fraud prevention.
Sec. 811. Use of employment eligibility verification photo tool.
Sec. 812. Identity authentication employment eligibility verification pilot programs.
Sec. 813. Inspector General audits.
Sec. 814. Agriculture workforce study.
Sec. 815. Sense of Congress on further implementation.
Sec. 816. Repealing regulations.

DIVISION A—BORDER SECURITY

SEC. 101. DEFINITIONS.

In this division:

(1) CBP.—The term ''CBP'' means U.S. Customs and Border Protection.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) OPERATIONAL CONTROL.—The term ''operational control'' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(6) SITUATIONAL AWARENESS.—The term ''situational awareness'' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

(7) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. 102. BORDER WALL CONSTRUCTION.

(a) IN GENERAL.—

(1) IMMEDIATE RESUMPTION OF BORDER WALL CONSTRUCTION.—Not later than seven days after the date of the enactment of this Act, the Secretary shall resume all activities related to the construction of the border wall along the border between the United States and Mexico that were underway or being planned for prior to January 20, 2021.

(2) USE OF FUNDS.—To carry out this section, the Secretary shall expend all unexpired funds appropriated or explicitly obligated for the construction of the border wall that were appropriated or obligated, as the case may be, for use beginning on October 1, 2019.

(3) USE OF MATERIALS.—Any unused materials purchased before the date of the enactment of this Act for construction of the border wall may be used for activities related to the construction of the border wall in accordance with paragraph (1).

(b) PLAN TO COMPLETE TACTICAL INFRASTRUCTURE AND TECHNOLOGY.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until construction of the border wall has been completed, the Secretary shall submit to the appropriate congressional committees an implementation plan, including annual benchmarks for the construction of 200 miles of such wall and associated cost estimates for satisfying all requirements of the construction of the border wall, including installation and deployment of tactical infrastructure, technology, and other elements as identified by the Department prior to January 20, 2021, through the expenditure of funds appropriated or explicitly obligated, as the case may be, for use, as well as any future funds appropriated or otherwise made available by Congress.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) TACTICAL INFRASTRUCTURE.—The term ''tactical infrastructure'' includes boat ramps, access gates, checkpoints, lighting, and roads associated with a border wall.

(3) TECHNOLOGY.—The term ''technology'' includes border surveillance and detection technology, including linear ground detection systems, associated with a border wall.

SEC. 103. STRENGTHENING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.

Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Division C of Public Law 104–208; 8 U.S.C. 1103 note) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary of Homeland Security shall take such actions as may be necessary (including the removal of obstacles to detection of illegal entrants) to design, test, construct, install, deploy, integrate, and operate physical barriers, tactical infrastructure, and technology in the vicinity of the southwest border to achieve situational awareness and operational control of the southwest border and deter, impede, and detect unlawful activity.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''FENCING AND ROAD IMPROVEMENTS'' and inserting ''PHYSICAL BARRIERS'';

(B) in paragraph (1)—

(i) in the heading, by striking ''FENCING'' and inserting ''BARRIERS'';

(ii) by amending subparagraph (A) to read as follows:

''(A) REINFORCED BARRIERS.—In carrying out this section, the Secretary of Homeland Security shall construct a border wall, including physical barriers, tactical infrastructure, and technology, along not fewer than 900 miles of the southwest border until situational awareness and operational control of the southwest border is achieved.'';

(iii) by amending subparagraph (B) to read as follows:

''(B) PHYSICAL BARRIERS AND TACTICAL INFRASTRUCTURE.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective physical barriers, tactical infrastructure, and technology available for achieving situational awareness and operational control of the southwest border.'';

(iv) in subparagraph (C)—

(I) by amending clause (i) to read as follows:

''(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of the Interior, the Secretary of Agriculture, appropriate representatives of State, Tribal, and local governments, and appropriate private property owners in the United States to minimize the impact on natural resources, commerce, and sites of historical or cultural significance for the communities and residents located near the sites at which physical barriers, tactical infrastructure, and technology are to be constructed. Such consultation may not delay such construction for longer than seven days.''; and

(II) in clause (ii)—

(aa) in subclause (I), by striking ''or'' after the semicolon at the end;

(bb) by amending subclause (II) to read as follows:

''(II) delay the transfer to the United States of the possession of property or affect the validity of any property acquisition by the United States by purchase or eminent domain, or to otherwise affect the eminent domain laws of the United States or of any State; or''; and

(cc) by adding at the end the following new subclause:

''(III) create any right or liability for any party.''; and

(v) by striking subparagraph (D);

(C) in paragraph (2)—

(i) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(ii) by striking ''this subsection'' and inserting ''this section''; and

(iii) by striking ''construction of fences'' and inserting ''the construction of physical barriers, tactical infrastructure, and technology'';

(D) by amending paragraph (3) to read as follows:

''(3) AGENT SAFETY.—In carrying out this section, the Secretary of Homeland Security, when designing, testing, constructing, installing, deploying, integrating, and operating physical barriers, tactical infrastructure, or technology, shall incorporate such safety features into such design, test, construction, installation, deployment, integration, or operation of such physical barriers, tactical infrastructure, or technology, as the case may be, that the Secretary determines are necessary to maximize the safety and effectiveness of officers and agents of the Department of Homeland Security or of any other Federal agency deployed in the vicinity of such physical barriers, tactical infrastructure, or technology.''; and

(E) in paragraph (4), by striking ''this subsection'' and inserting ''this section'';

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall waive all legal requirements necessary to ensure the expeditious design, testing, construction, installation, deployment, integration, operation, and maintenance of the physical barriers, tactical infrastructure, and technology under this section. The Secretary shall ensure the maintenance and effectiveness of such physical barriers, tactical infrastructure, or technology. Any such action by the Secretary shall be effective upon publication in the Federal Register.'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) NOTIFICATION.—Not later than seven days after the date on which the Secretary of Homeland Security exercises a waiver pursuant to paragraph (1), the Secretary shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such waiver.''; and

(4) by adding at the end the following new subsections:

''(e) TECHNOLOGY.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective technology available for achieving situational awareness and operational control.

''(f) DEFINITIONS.—In this section:

''(1) ADVANCED UNATTENDED SURVEILLANCE SENSORS.—The term 'advanced unattended surveillance sensors' means sensors that utilize an onboard computer to analyze detections in an effort to discern between vehicles, humans, and animals, and ultimately filter false positives prior to transmission.

''(2) OPERATIONAL CONTROL.—The term 'operational control' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

''(3) PHYSICAL BARRIERS.—The term 'physical barriers' includes reinforced fencing, the border wall, and levee walls.

''(4) SITUATIONAL AWARENESS.—The term 'situational awareness' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

''(5) TACTICAL INFRASTRUCTURE.—The term 'tactical infrastructure' includes boat ramps, access gates, checkpoints, lighting, and roads.

''(6) TECHNOLOGY.—The term 'technology' includes border surveillance and detection technology, including the following:

''(A) Tower-based surveillance technology.

''(B) Deployable, lighter-than-air ground surveillance equipment.

''(C) Vehicle and Dismount Exploitation Radars (VADER).

''(D) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology.

''(E) Advanced unattended surveillance sensors.

''(F) Mobile vehicle-mounted and manportable surveillance capabilities.

''(G) Unmanned aircraft systems.

''(H) Tunnel detection systems and other seismic technology.

''(I) Fiber-optic cable.

''(J) Other border detection, communication, and surveillance technology.

''(7) UNMANNED AIRCRAFT SYSTEM.—The term 'unmanned aircraft system' has the meaning given such term in section 44801 of title 49, United States Code.''.

SEC. 104. BORDER AND PORT SECURITY TECHNOLOGY INVESTMENT PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commissioner, in consultation with covered officials and border and port security technology stakeholders, shall submit to the appropriate congressional committees a strategic 5-year technology investment plan (in this section referred to as the ''plan''). The plan may include a classified annex, if appropriate.

(b) CONTENTS OF PLAN.—The plan shall include the following:

(1) An analysis of security risks at and between ports of entry along the northern and southern borders of the United States.

(2) An identification of capability gaps with respect to security at and between such ports of entry to be mitigated in order to—

(A) prevent terrorists and instruments of terror from entering the United States;

(B) combat and reduce cross-border criminal activity, including—

(i) the transport of illegal goods, such as illicit drugs; and

(ii) human smuggling and human trafficking; and

(C) facilitate the flow of legal trade across the southwest border.

(3) An analysis of current and forecast trends relating to the number of aliens who—

(A) unlawfully entered the United States by crossing the northern or southern border of the United States; or

(B) are unlawfully present in the United States.

(4) A description of security-related technology acquisitions, to be listed in order of priority, to address the security risks and capability gaps analyzed and identified pursuant to paragraphs (1) and (2), respectively.

(5) A description of each planned security-related technology program, including objectives, goals, and timelines for each such program.

(6) An identification of each deployed security-related technology that is at or near the end of the life cycle of such technology.

(7) A description of the test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines, necessary to support the acquisition of security-related technologies pursuant to paragraph (4).

(8) An identification and assessment of ways to increase opportunities for communication and collaboration with the private sector, small and disadvantaged businesses, intragovernment entities, university centers of excellence, and Federal laboratories to ensure CBP is able to engage with the market for security-related technologies that are available to satisfy its mission needs before engaging in an acquisition of a security-related technology.

(9) An assessment of the management of planned security-related technology programs by the acquisition workforce of CBP.

(10) An identification of ways to leverage already-existing acquisition expertise within the Federal Government.

(11) A description of the security resources, including information security resources, required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack.

(12) A description of initiatives to—

(A) streamline the acquisition process of CBP; and

(B) provide to the private sector greater predictability and transparency with respect to such process, including information relating to the timeline for testing and evaluation of security-related technology.

(13) An assessment of the privacy and security impact on border communities of security-related technology.

(14) In the case of a new acquisition leading to the removal of equipment from a port of entry along the northern or southern border of the United States, a strategy to consult with the private sector and community stakeholders affected by such removal.

(15) A strategy to consult with the private sector and community stakeholders with respect to security impacts at a port of entry described in paragraph (14).

(16) An identification of recent technological advancements in the following:

(A) Manned aircraft sensor, communication, and common operating picture technology.

(B) Unmanned aerial systems and related technology, including counter-unmanned aerial system technology.

(C) Surveillance technology, including the following:

(i) Mobile surveillance vehicles.

(ii) Associated electronics, including cameras, sensor technology, and radar.

(iii) Tower-based surveillance technology.

(iv) Advanced unattended surveillance sensors.

(v) Deployable, lighter-than-air, ground surveillance equipment.

(D) Nonintrusive inspection technology, including non-x-ray devices utilizing muon tomography and other advanced detection technology.

(E) Tunnel detection technology.

(F) Communications equipment, including the following:

(i) Radios.

(ii) Long-term evolution broadband.

(iii) Miniature satellites.

(c) LEVERAGING THE PRIVATE SECTOR.—To the extent practicable, the plan shall—

(1) leverage emerging technological capabilities, and research and development trends, within the public and private sectors;

(2) incorporate input from the private sector, including from border and port security stakeholders, through requests for information, industry day events, and other innovative means consistent with the Federal Acquisition Regulation; and

(3) identify security-related technologies that are in development or deployed, with or without adaptation, that may satisfy the mission needs of CBP.

(d) FORM.—To the extent practicable, the plan shall be published in unclassified form on the website of the Department.

(e) DISCLOSURE.—The plan shall include an identification of individuals not employed by the Federal Government, and their professional affiliations, who contributed to the development of the plan.

(f) UPDATE AND REPORT.—Not later than the date that is two years after the date on which the plan is submitted to the appropriate congressional committees pursuant to subsection (a) and biennially thereafter for ten years, the Commissioner shall submit to the appropriate congressional committees—

(1) an update of the plan, if appropriate; and

(2) a report that includes—

(A) the extent to which each security-related technology acquired by CBP since the initial submission of the plan or most recent update of the plan, as the case may be, is consistent with the planned technology programs and projects described pursuant to subsection (b)(5); and

(B) the type of contract and the reason for acquiring each such security-related technology.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) COVERED OFFICIALS.—The term ''covered officials'' means—

(A) the Under Secretary for Management of the Department;

(B) the Under Secretary for Science and Technology of the Department; and

(C) the Chief Information Officer of the Department.

(3) UNLAWFULLY PRESENT.—The term ''unlawfully present'' has the meaning provided such term in section 212(a)(9)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)(ii)).

SEC. 105. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

''SEC. 437. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

''(a) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term 'major acquisition program' means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of at least $100,000,000 (based on fiscal year 2023 constant dollars) over its lifecycle cost.

''(b) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

''(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

''(2) document that each such program is satisfying cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(3) have a plan for satisfying program implementation objectives by managing contractor performance.

''(c) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring management of border security technology acquisition programs under this section.

''(d) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan for testing, evaluating, and using independent verification and validation of resources relating to the proposed acquisition of border security technology. Under such plan, the proposed acquisition of new border security technologies shall be evaluated through a series of assessments, processes, and audits to ensure—

''(1) compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(2) the effective use of taxpayer dollars.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 436 the following new item:

''Sec. 437. Border security technology program management.''.

(c) PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out section 437 of the Homeland Security Act of 2002, as added by subsection (a).

SEC. 106. U.S. CUSTOMS AND BORDER PROTECTION TECHNOLOGY UPGRADES.

(a) SECURE COMMUNICATIONS.—The Commissioner shall ensure that each CBP officer or agent, as appropriate, is equipped with a secure radio or other two-way communication device that allows each such officer or agent to communicate—

(1) between ports of entry and inspection stations; and

(2) with other Federal, State, Tribal, and local law enforcement entities.

(b) BORDER SECURITY DEPLOYMENT PROGRAM.—

(1) EXPANSION.—Not later than September 30, 2025, the Commissioner shall—

(A) fully implement the Border Security Deployment Program of CBP; and

(B) expand the integrated surveillance and intrusion detection system at land ports of entry along the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $33,000,000 for fiscal years 2024 and 2025 to carry out paragraph (1).

(c) UPGRADE OF LICENSE PLATE READERS AT PORTS OF ENTRY.—

(1) UPGRADE.—Not later than two years after the date of the enactment of this Act, the Commissioner shall upgrade all existing license plate readers in need of upgrade, as determined by the Commissioner, on the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $125,000,000 for fiscal years 2023 and 2024 to carry out paragraph (1).

SEC. 107. U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.

(a) RETENTION BONUS.—To carry out this section, there is authorized to be appropriated up to $100,000,000 to the Commissioner to provide a retention bonus to any front-line U.S. Border Patrol law enforcement agent—

(1) whose position is equal to or below level GS-12 of the General Schedule;

(2) who has five years or more of service with the U.S. Border Patrol; and

(3) who commits to two years of additional service with the U.S. Border Patrol upon acceptance of such bonus.

(b) BORDER PATROL AGENTS.—Not later than September 30, 2025, the Commissioner shall hire, train, and assign a sufficient number of Border Patrol agents to maintain an active duty presence of not fewer than 22,000 full-time equivalent Border Patrol agents, who may not perform the duties of processing coordinators.

(c) PROHIBITION AGAINST ALIEN TRAVEL.—No personnel or equipment of Air and Marine Operations may be used for the transportation of non-detained aliens, or detained aliens expected to be administratively released upon arrival, from the southwest border to destinations within the United States.

(d) GAO REPORT.—If the staffing level required under this section is not achieved by the date associated with such level, the Comptroller General of the United States shall—

(1) conduct a review of the reasons why such level was not so achieved; and

(2) not later than September 30, 2027, publish on a publicly available website of the Government Accountability Office a report relating thereto.

SEC. 108. ANTI-BORDER CORRUPTION ACT REAUTHORIZATION.

(a) HIRING FLEXIBILITY.—Section 3 of the Anti-Border Corruption Act of 2010 (6 U.S.C. 221; Public Law 111–376) is amended by striking subsection (b) and inserting the following new subsections:

''(b) WAIVER REQUIREMENT.—Subject to subsection (c), the Commissioner of U.S. Customs and Border Protection shall waive the application of subsection (a)(1)—

''(1) to a current, full-time law enforcement officer employed by a State or local law enforcement agency who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension; and

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position;

''(2) to a current, full-time Federal law enforcement officer who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

''(D) holds a current Tier 4 background investigation or current Tier 5 background investigation; or

''(3) to a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

''(A) has served in the Armed Forces for not fewer than three years;

''(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance;

''(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

''(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

''(E) was not granted any waivers to obtain the clearance referred to in subparagraph (B).

''(c) TERMINATION OF WAIVER REQUIREMENT; SNAP-BACK.—The requirement to issue a waiver under subsection (b) shall terminate if the Commissioner of U.S. Customs and Border Protection (CBP) certifies to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP has met all requirements pursuant to section 107 of the Secure the Border Act of 2023 relating to personnel levels. If at any time after such certification personnel levels fall below such requirements, the Commissioner shall waive the application of subsection (a)(1) until such time as the Commissioner re-certifies to such Committees that CBP has so met all such requirements.''.

(b) SUPPLEMENTAL COMMISSIONER AUTHORITY; REPORTING; DEFINITIONS.—The Anti-Border Corruption Act of 2010 is amended by adding at the end the following new sections:

''SEC. 5. SUPPLEMENTAL COMMISSIONER AUTHORITY.

''(a) NONEXEMPTION.—An individual who receives a waiver under section 3(b) is not exempt from any other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

''(b) BACKGROUND INVESTIGATIONS.—An individual who receives a waiver under section 3(b) who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

''(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under section 3(b) if information is discovered before the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.

''SEC. 6. REPORTING.

''(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of this section and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit to Congress a report that includes, with respect to each such reporting period, the following:

''(1) Information relating to the number of waivers granted under such section 3(b).

''(2) Information relating to the percentage of applicants who were hired after receiving such a waiver.

''(3) Information relating to the number of instances that a polygraph was administered to an applicant who initially received such a waiver and the results of such polygraph.

''(4) An assessment of the current impact of such waiver authority on filling law enforcement positions at U.S. Customs and Border Protection.

''(5) An identification of additional authorities needed by U.S. Customs and Border Protection to better utilize such waiver authority for its intended goals.

''(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include the following:

''(1) An analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential applicants or employees for suitability for employment or continued employment, as the case may be.

''(2) A recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).

''SEC. 7. DEFINITIONS.

''In this Act:

''(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term 'Federal law enforcement officer' means a 'law enforcement officer', as such term is defined in section 8331(20) or 8401(17) of title 5, United States Code.

''(2) SERIOUS MILITARY OR CIVIL OFFENSE.—The term 'serious military or civil offense' means an offense for which—

''(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

''(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Court-Martial, as pursuant to Army Regulation 635–200, chapter 14–12.

''(3) TIER 4; TIER 5.—The terms 'Tier 4' and 'Tier 5', with respect to background investigations, have the meaning given such terms under the 2012 Federal Investigative Standards.

''(4) VETERAN.—The term 'veteran' has the meaning given such term in section 101(2) of title 38, United States Code.''.

(c) POLYGRAPH EXAMINERS.—Not later than September 30, 2025, the Secretary shall increase to not fewer than 150 the number of trained full-time equivalent polygraph examiners for administering polygraphs under the Anti-Border Corruption Act of 2010, as amended by this section.

SEC. 109. ESTABLISHMENT OF WORKLOAD STAFFING MODELS FOR U.S. BORDER PATROL AND AIR AND MARINE OPERATIONS OF CBP.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commissioner, in coordination with the Under Secretary for Management, the Chief Human Capital Officer, and the Chief Financial Officer of the Department, shall implement a workload staffing model for each of the following:

(1) The U.S. Border Patrol.

(2) Air and Marine Operations of CBP.

(b) RESPONSIBILITIES OF THE COMMISSIONER.—Subsection (c) of section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211), is amended—

(1) by redesignating paragraphs (18) and (19) as paragraphs (20) and (21), respectively; and

(2) by inserting after paragraph (17) the following new paragraphs:

''(18) implement a staffing model for the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations that includes consideration for essential frontline operator activities and functions, variations in operating environments, present and planned infrastructure, present and planned technology, and required operations support levels to enable such entities to manage and assign personnel of such entities to ensure field and support posts possess adequate resources to carry out duties specified in this section;

''(19) develop standard operating procedures for a workforce tracking system within the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations, train the workforce of each of such entities on the use, capabilities, and purpose of such system, and implement internal controls to ensure timely and accurate scheduling and reporting of actual completed work hours and activities;''.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act with respect to subsection (a) and paragraphs (18) and (19) of section 411(c) of the Homeland Security Act of 2002 (as amended by subsection (b)), and annually thereafter with respect to such paragraphs (18) and (19), the Secretary shall submit to the appropriate congressional committees a report that includes a status update on the following:

(A) The implementation of such subsection (a) and such paragraphs (18) and (19).

(B) Each relevant workload staffing model.

(2) DATA SOURCES AND METHODOLOGY REQUIRED.—Each report required under paragraph (1) shall include information relating to the data sources and methodology used to generate each relevant staffing model.

(d) INSPECTOR GENERAL REVIEW.—Not later than 90 days after the Commissioner develops the workload staffing models pursuant to subsection (a), the Inspector General of the Department shall review such models and provide feedback to the Secretary and the appropriate congressional committees with respect to the degree to which such models are responsive to the recommendations of the Inspector General, including the following:

(1) Recommendations from the Inspector General's February 2019 audit.

(2) Any further recommendations to improve such models.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Homeland Security of the House of Representatives; and

(2) the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 110. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

''SEC. 2010. OPERATION STONEGARDEN.

''(a) ESTABLISHMENT.—There is established in the Department a program to be known as 'Operation Stonegarden', under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through State administrative agencies, to enhance border security in accordance with this section.

''(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency shall—

''(1) be located in—

''(A) a State bordering Canada or Mexico; or

''(B) a State or territory with a maritime border;

''(2) be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a U.S. Border Patrol sector office; and

''(3) have an agreement in place with U.S. Immigration and Customs Enforcement to support enforcement operations.

''(c) PERMITTED USES.—A recipient of a grant under this section may use such grant for costs associated with the following:

''(1) Equipment, including maintenance and sustainment.

''(2) Personnel, including overtime and backfill, in support of enhanced border law enforcement activities.

''(3) Any activity permitted for Operation Stonegarden under the most recent fiscal year Department of Homeland Security's Homeland Security Grant Program Notice of Funding Opportunity.

''(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not fewer than 36 months.

''(e) NOTIFICATION.—Upon denial of a grant to a law enforcement agency, the Administrator shall provide written notice to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, including the reasoning for such denial.

''(f) REPORT.—For each of fiscal years 2024 through 2028 the Administrator shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains—

''(1) information on the expenditure of grants made under this section by each grant recipient; and

''(2) recommendations for other uses of such grants to further support eligible law enforcement agencies.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $110,000,000 for each of fiscal years 2024 through 2028 for grants under this section.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended to read as follows:

''(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003, 2004, 2009, and 2010 to State, local, and Tribal governments, as appropriate.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2009 the following new item:

''Sec. 2010. Operation Stonegarden.''.

SEC. 111. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) AIR AND MARINE OPERATIONS FLIGHT HOURS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall ensure that not fewer than 110,000 annual flight hours are carried out by Air and Marine Operations of CBP.

(b) UNMANNED AIRCRAFT SYSTEMS.—The Secretary, after coordination with the Administrator of the Federal Aviation Administration, shall ensure that Air and Marine Operations operate unmanned aircraft systems on the southern border of the United States for not less than 24 hours per day.

(c) PRIMARY MISSIONS.—The Commissioner shall ensure the following:

(1) The primary missions for Air and Marine Operations are to directly support the following:

(A) U.S. Border Patrol activities along the borders of the United States.

(B) Joint Interagency Task Force South and Joint Task Force East operations in the transit zone.

(2) The Executive Assistant Commissioner of Air and Marine Operations assigns the greatest priority to support missions specified in paragraph (1).

(d) HIGH DEMAND FLIGHT HOUR REQUIREMENTS.—The Commissioner shall—

(1) ensure that U.S. Border Patrol Sector Chiefs identify air support mission-critical hours; and

(2) direct Air and Marine Operations to support requests from such Sector Chiefs as a component of the primary mission of Air and Marine Operations in accordance with subsection (c)(1)(A).

(e) CONTRACT AIR SUPPORT AUTHORIZATIONS.—The Commissioner shall contract for air support mission-critical hours to meet the requests for such hours, as identified pursuant to subsection (d).

(f) SMALL UNMANNED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Chief of the U.S. Border Patrol shall be the executive agent with respect to the use of small unmanned aircraft by CBP for the purposes of the following:

(A) Meeting the unmet flight hour operational requirements of the U.S. Border Patrol.

(B) Achieving situational awareness and operational control of the borders of the United States.

(2) COORDINATION.—In carrying out paragraph (1), the Chief of the U.S. Border Patrol shall coordinate—

(A) flight operations with the Administrator of the Federal Aviation Administration to ensure the safe and efficient operation of the national airspace system; and

(B) with the Executive Assistant Commissioner for Air and Marine Operations of CBP to—

(i) ensure the safety of other CBP aircraft flying in the vicinity of small unmanned aircraft operated by the U.S. Border Patrol; and

(ii) establish a process to include data from flight hours in the calculation of got away statistics.

(3) CONFORMING AMENDMENT.—Paragraph (3) of section 411(e) of the Homeland Security Act of 2002 (6 U.S.C. 211(e)) is amended—

(A) in subparagraph (B), by striking ''and'' after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) carry out the small unmanned aircraft (as such term is defined in section 44801 of title 49, United States Code) requirements pursuant to subsection (f) of section 111 of the Secure the Border Act of 2023; and''.

(g) SAVINGS CLAUSE.—Nothing in this section may be construed as conferring, transferring, or delegating to the Secretary, the Commissioner, the Executive Assistant Commissioner for Air and Marine Operations of CBP, or the Chief of the U.S. Border Patrol any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration relating to the use of airspace or aviation safety.

(h) DEFINITIONS.—In this section:

(1) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(3)).

(2) TRANSIT ZONE.—The term ''transit zone'' has the meaning given such term in section 1092(a)(8) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(8)).

SEC. 112. ERADICATION OF CARRIZO CANE AND SALT CEDAR.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of relevant Federal, State, and local agencies, shall hire contractors to begin eradicating the carrizo cane plant and any salt cedar along the Rio Grande River that impedes border security operations. Such eradication shall be completed—

(1) by not later than September 30, 2027, except for required maintenance; and

(2) in the most expeditious and cost-effective manner possible to maintain clear fields of view.

(b) APPLICATION.—The waiver authority under subsection (c) of section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section 103 of this division, shall apply to activities carried out pursuant to subsection (a).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a strategic plan to eradicate all carrizo cane plant and salt cedar along the Rio Grande River that impedes border security operations by not later than September 30, 2027.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $7,000,000 for each of fiscal years 2024 through 2028 to the Secretary to carry out this subsection.

SEC. 113. BORDER PATROL STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act and biennially thereafter, the Commissioner, acting through the Chief of the U.S. Border Patrol, shall issue a Border Patrol Strategic Plan (referred to in this section as the ''plan'') to enhance the security of the borders of the United States.

(b) ELEMENTS.—The plan shall include the following:

(1) A consideration of Border Patrol Capability Gap Analysis reporting, Border Security Improvement Plans, and any other strategic document authored by the U.S. Border Patrol to address security gaps between ports of entry, including efforts to mitigate threats identified in such analyses, plans, and documents.

(2) Information relating to the dissemination of information relating to border security or border threats with respect to the efforts of the Department and other appropriate Federal agencies.

(3) Information relating to efforts by U.S. Border Patrol to—

(A) increase situational awareness, including—

(i) surveillance capabilities, such as capabilities developed or utilized by the Department of Defense, and any appropriate technology determined to be excess by the Department of Defense; and

(ii) the use of manned aircraft and unmanned aircraft;

(B) detect and prevent terrorists and instruments of terrorism from entering the United States;

(C) detect, interdict, and disrupt between ports of entry aliens unlawfully present in the United States;

(D) detect, interdict, and disrupt human smuggling, human trafficking, drug trafficking, and other illicit cross-border activity;

(E) focus intelligence collection to disrupt transnational criminal organizations outside of the international and maritime borders of the United States; and

(F) ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department.

(4) Information relating to initiatives of the Department with respect to operational coordination, including any relevant task forces of the Department.

(5) Information gathered from the lessons learned by the deployments of the National Guard to the southern border of the United States.

(6) A description of cooperative agreements relating to information sharing with State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States.

(7) Information relating to border security information received from the following:

(A) State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States or in the maritime environment.

(B) Border community stakeholders, including representatives from the following:

(i) Border agricultural and ranching organizations.

(ii) Business and civic organizations.

(iii) Hospitals and rural clinics within 150 miles of the borders of the United States.

(iv) Victims of crime committed by aliens unlawfully present in the United States.

(v) Victims impacted by drugs, transnational criminal organizations, cartels, gangs, or other criminal activity.

(vi) Farmers, ranchers, and property owners along the border.

(vii) Other individuals negatively impacted by illegal immigration.

(8) Information relating to the staffing requirements with respect to border security for the Department.

(9) A prioritized list of Department research and development objectives to enhance the security of the borders of the United States.

(10) An assessment of training programs, including such programs relating to the following:

(A) Identifying and detecting fraudulent documents.

(B) Understanding the scope of CBP enforcement authorities and appropriate use of force policies.

(C) Screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking.

SEC. 114. U.S. CUSTOMS AND BORDER PROTECTION SPIRITUAL READINESS.

Not later than one year after the enactment of this Act and annually thereafter for five years, the Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the availability and usage of the assistance of chaplains, prayer groups, houses of worship, and other spiritual resources for members of CBP who identify as religiously affiliated and have attempted suicide, have suicidal ideation, or are at risk of suicide, and metrics on the impact such resources have in assisting religiously affiliated members who have access to and utilize such resources compared to religiously affiliated members who do not.

SEC. 115. RESTRICTIONS ON FUNDING.

(a) ARRIVING ALIENS.—No funds are authorized to be appropriated to the Department to process the entry into the United States of aliens arriving in between ports of entry.

(b) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION SUPPORT FOR UNLAWFUL ACTIVITY.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization that facilitates or encourages unlawful activity, including unlawful entry, human trafficking, human smuggling, drug trafficking, and drug smuggling.

(c) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION FACILITATION OF ILLEGAL IMMIGRATION.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization to provide, or facilitate the provision of, transportation, lodging, or immigration legal services to inadmissible aliens who enter the United States after the date of the enactment of this Act.

SEC. 116. COLLECTION OF DNA AND BIOMETRIC INFORMATION AT THE BORDER.

Not later than 14 days after the date of the enactment of this Act, the Secretary shall ensure and certify to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP is fully compliant with Federal DNA and biometric collection requirements at United States land borders.

SEC. 117. ERADICATION OF NARCOTIC DRUGS AND FORMULATING EFFECTIVE NEW TOOLS TO ADDRESS YEARLY LOSSES OF LIFE; ENSURING TIMELY UPDATES TO U.S. CUSTOMS AND BORDER PROTECTION FIELD MANUALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than triennially thereafter, the Commissioner of U.S. Customs and Border Protection shall review and update, as necessary, the current policies and manuals of the Office of Field Operations related to inspections at ports of entry, and the U.S. Border Patrol related to inspections between ports of entry, to ensure the uniform implementation of inspection practices that will effectively respond to technological and methodological changes designed to disguise unlawful activity, such as the smuggling of drugs and humans, along the border.

(b) REPORTING REQUIREMENT.—Not later than 90 days after each update required under subsection (a), the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a report that summarizes any policy and manual changes pursuant to subsection (a).

SEC. 118. PUBLICATION BY U.S. CUSTOMS AND BORDER PROTECTION OF OPERATIONAL STATISTICS.

(a) IN GENERAL.—Not later than the seventh day of each month beginning with the second full month after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall publish on a publicly available website of the Department of Homeland Security information relating to the total number of alien encounters and nationalities, unique alien encounters and nationalities, gang-affiliated apprehensions and nationalities, drug seizures, alien encounters included in the terrorist screening database and nationalities, arrests of criminal aliens or individuals wanted by law enforcement and nationalities, known got aways, encounters with deceased aliens, and all other related or associated statistics recorded by U.S. Customs and Border Protection during the immediately preceding month. Each such publication shall include the following:

(1) The aggregate such number, and such number disaggregated by geographic regions, of such recordings and encounters, including specifications relating to whether such recordings and encounters were at the southwest, northern, or maritime border.

(2) An identification of the Office of Field Operations field office, U.S. Border Patrol sector, or Air and Marine Operations branch making each recording or encounter.

(3) Information relating to whether each recording or encounter of an alien was of a single adult, an unaccompanied alien child, or an individual in a family unit.

(4) Information relating to the processing disposition of each alien recording or encounter.

(5) Information relating to the nationality of each alien who is the subject of each recording or encounter.

(6) The total number of individuals included in the terrorist screening database (as such term is defined in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621)) who have repeatedly attempted to cross unlawfully into the United States.

(7) The total number of individuals included in the terrorist screening database who have been apprehended, including information relating to whether such individuals were released into the United States or removed.

(b) EXCEPTIONS.—If the Commissioner of U.S. Customs and Border Protection in any month does not publish the information required under subsection (a), or does not publish such information by the date specified in such subsection, the Commissioner shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the reason relating thereto, as the case may be, by not later than the date that is two business days after the tenth day of such month.

(c) DEFINITIONS.—In this section:

(1) ALIEN ENCOUNTERS.—The term ''alien encounters'' means aliens apprehended, determined inadmissible, or processed for removal by U.S. Customs and Border Protection.

(2) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)).

(3) TERRORIST SCREENING DATABASE.—The term ''terrorist screening database'' has the meaning given such term in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621).

(4) UNACCOMPANIED ALIEN CHILD.—The term ''unaccompanied alien child'' has the meaning given such term in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)).

SEC. 119. ALIEN CRIMINAL BACKGROUND CHECKS.

(a) IN GENERAL.—Not later than seven days after the date of the enactment of this Act, the Commissioner shall certify to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate that CBP has real-time access to the criminal history databases of all countries of origin and transit for aliens encountered by CBP to perform criminal history background checks for such aliens.

(b) STANDARDS.—The certification required under subsection (a) shall also include a determination whether the criminal history databases of a country are accurate, up to date, digitized, searchable, and otherwise meet the standards of the Federal Bureau of Investigation for criminal history databases maintained by State and local governments.

(c) CERTIFICATION.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a certification that each database referred to in subsection (b) which the Secretary accessed or sought to access pursuant to this section met the standards described in subsection (b).

SEC. 120. PROHIBITED IDENTIFICATION DOCUMENTS AT AIRPORT SECURITY CHECKPOINTS; NOTIFICATION TO IMMIGRATION AGENCIES.

(a) IN GENERAL.—The Administrator may not accept as valid proof of identification a prohibited identification document at an airport security checkpoint.

(b) NOTIFICATION TO IMMIGRATION AGENCIES.—If an individual presents a prohibited identification document to an officer of the Transportation Security Administration at an airport security checkpoint, the Administrator shall promptly notify the Director of U.S. Immigration and Customs Enforcement, the Director of U.S. Customs and Border Protection, and the head of the appropriate local law enforcement agency to determine whether the individual is in violation of any term of release from the custody of any such agency.

(c) ENTRY INTO STERILE AREAS.—

(1) IN GENERAL.—Except as provided in paragraph (2), if an individual is found to be in violation of any term of release under subsection (b), the Administrator may not permit such individual to enter a sterile area.

(2) EXCEPTION.—An individual presenting a prohibited identification document under this section may enter a sterile area if the individual—

(A) is leaving the United States for the purposes of removal or deportation; or

(B) presents a covered identification document.

(d) COLLECTION OF BIOMETRIC INFORMATION FROM CERTAIN INDIVIDUALS SEEKING ENTRY INTO THE STERILE AREA OF AN AIRPORT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator shall collect biometric information from an individual described in subsection (e) prior to authorizing such individual to enter into a sterile area.

(e) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is seeking entry into the sterile area of an airport;

(2) does not present a covered identification document; and

(3) the Administrator cannot verify is a national of the United States.

(f) PARTICIPATION IN IDENT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator, in coordination with the Secretary, shall submit biometric data collected under this section to the Automated Biometric Identification System (IDENT).

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) BIOMETRIC INFORMATION.—The term ''biometric information'' means any of the following:

(A) A fingerprint.

(B) A palm print.

(C) A photograph, including—

(i) a photograph of an individual's face for use with facial recognition technology; and

(ii) a photograph of any physical or anatomical feature, such as a scar, skin mark, or tattoo.

(D) A signature.

(E) A voice print.

(F) An iris image.

(3) COVERED IDENTIFICATION DOCUMENT.—The term ''covered identification document'' means any of the following, if the document is valid and unexpired:

(A) A United States passport or passport card.

(B) A biometrically secure card issued by a trusted traveler program of the Department of Homeland Security, including—

(i) Global Entry;

(ii) Nexus;

(iii) Secure Electronic Network for Travelers Rapid Inspection (SENTRI); and

(iv) Free and Secure Trade (FAST).

(C) An identification card issued by the Department of Defense, including such a card issued to a dependent.

(D) Any document required for admission to the United States under section 211(a) of the Immigration and Nationality Act (8 U.S.C. 1181(a)).

(E) An enhanced driver's license issued by a State.

(F) A photo identification card issued by a federally recognized Indian Tribe.

(G) A personal identity verification credential issued in accordance with Homeland Security Presidential Directive 12.

(H) A driver's license issued by a province of Canada.

(I) A Secure Certificate of Indian Status issued by the Government of Canada.

(J) A Transportation Worker Identification Credential.

(K) A Merchant Mariner Credential issued by the Coast Guard.

(L) A Veteran Health Identification Card issued by the Department of Veterans Affairs.

(M) Any other document the Administrator determines, pursuant to a rulemaking in accordance with section 553 of title 5, United States Code, will satisfy the identity verification procedures of the Transportation Security Administration.

(4) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) PROHIBITED IDENTIFICATION DOCUMENT.—The term ''prohibited identification document'' means any of the following (or any applicable successor form):

(A) U.S. Immigration and Customs Enforcement Form I–200, Warrant for Arrest of Alien.

(B) U.S. Immigration and Customs Enforcement Form I–205, Warrant of Removal/Deportation.

(C) U.S. Immigration and Customs Enforcement Form I–220A, Order of Release on Recognizance.

(D) U.S. Immigration and Customs Enforcement Form I–220B, Order of Supervision.

(E) Department of Homeland Security Form I–862, Notice to Appear.

(F) U.S. Customs and Border Protection Form I–94, Arrival/Departure Record (including a print-out of an electronic record).

(G) Department of Homeland Security Form I–385, Notice to Report.

(H) Any document that directs an individual to report to the Department of Homeland Security.

(I) Any Department of Homeland Security work authorization or employment verification document.

(6) STERILE AREA.—The term ''sterile area'' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations, or any successor regulation.

SEC. 121. PROHIBITION AGAINST ANY COVID–19 VACCINE MANDATE OR ADVERSE ACTION AGAINST DHS EMPLOYEES.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary may not issue any COVID–19 vaccine mandate unless Congress expressly authorizes such a mandate.

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

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the following:

(1) The number of Department employees who were terminated or resigned due to the COVID–19 vaccine mandate.

(2) An estimate of the cost to reinstate such employees.

(3) How the Department would effectuate reinstatement of such employees.

(d) RETENTION AND DEVELOPMENT OF UNVACCINATED EMPLOYEES.—The Secretary shall make every effort to retain Department employees who are not vaccinated against COVID–19 and provide such employees with professional development, promotion and leadership opportunities, and consideration equal to that of their peers.

SEC. 122. CBP ONE APP LIMITATION.

(a) LIMITATION.—The Department may use the CBP One Mobile Application or any other similar program, application, internet-based portal, website, device, or initiative only for inspection of perishable cargo.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commissioner shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the date on which CBP began using CBP One to allow aliens to schedule interviews at land ports of entry, how many aliens have scheduled interviews at land ports of entry using CBP One, the nationalities of such aliens, and the stated final destinations of such aliens within the United States, if any.

SEC. 123. REPORT ON MEXICAN DRUG CARTELS.

Not later than 60 days after the date of the enactment of this Act, Congress shall commission a report that contains the following:

(1) A national strategy to address Mexican drug cartels, and a determination regarding whether there should be a designation established to address such cartels.

(2) Information relating to actions by such cartels that causes harm to the United States.

SEC. 124. GAO STUDY ON COSTS INCURRED BY STATES TO SECURE THE SOUTHWEST BORDER.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the costs incurred by individual States as a result of actions taken by such States in support of the Federal mission to secure the southwest border, and the feasibility of a program to reimburse such States for such costs.

(b) CONTENTS.—The study required under subsection (a) shall include consideration of the following:

(1) Actions taken by the Department of Homeland Security that have contributed to costs described in such subsection incurred by States to secure the border in the absence of Federal action, including the termination of the Migrant Protection Protocols and cancellation of border wall construction.

(2) Actions taken by individual States along the southwest border to secure their borders, and the costs associated with such actions.

(3) The feasibility of a program within the Department of Homeland Security to reimburse States for the costs incurred in support of the Federal mission to secure the southwest border.

SEC. 125. REPORT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter for five years, the Inspector General of the Department of Homeland

Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report examining the economic and security impact of mass migration to municipalities and States along the southwest border. Such report shall include information regarding costs incurred by the following:

(1) State and local law enforcement to secure the southwest border.

(2) Public school districts to educate students who are aliens unlawfully present in the United States.

(3) Healthcare providers to provide care to aliens unlawfully present in the United States who have not paid for such care.

(4) Farmers and ranchers due to migration impacts to their properties.

(b) CONSULTATION.—To produce the report required under subsection (a), the Inspector General of the Department of Homeland Security shall consult with the individuals and representatives of the entities described in paragraphs (1) through (4) of such subsection.

SEC. 126. OFFSETTING AUTHORIZATIONS OF APPROPRIATIONS.

(a) OFFICE OF THE SECRETARY AND EMERGENCY MANAGEMENT.—No funds are authorized to be appropriated for the Alternatives to Detention Case Management Pilot Program or the Office of the Immigration Detention Ombudsman for the Office of the Secretary and Emergency Management of the Department of Homeland Security.

(b) MANAGEMENT DIRECTORATE.—No funds are authorized to be appropriated for electric vehicles or St. Elizabeths campus construction for the Management Directorate of the Department of Homeland Security.

(c) INTELLIGENCE, ANALYSIS, AND SITUATIONAL AWARENESS.—There is authorized to be appropriated $216,000,000 for Intelligence, Analysis, and Situational Awareness of the Department of Homeland Security.

(d) U.S. CUSTOMS AND BORDER PROTECTION.—No funds are authorized to be appropriated for the Shelter Services Program for U.S. Customs and Border Protection.

SEC. 127. REPORT TO CONGRESS ON FOREIGN TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for five years, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of foreign terrorist organizations attempting to move their members or affiliates into the United States through the southern, northern, or maritime border.

(b) DEFINITION.—In this section, the term ''foreign terrorist organization'' means an organization described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 128. ASSESSMENT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY ON THE MITIGATION OF UNMANNED AIRCRAFT SYSTEMS AT THE SOUTHWEST BORDER.

Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of U.S. Customs and Border Protection's ability to mitigate unmanned aircraft systems at the southwest border. Such assessment shall include information regarding any intervention between January 1, 2021, and the date of the enactment of this Act, by any Federal agency affecting in any manner U.S. Customs and Border Protection's authority to so mitigate such systems.

DIVISION B—IMMIGRATION ENFORCEMENT AND FOREIGN AFFAIRS

TITLE I—ASYLUM REFORM AND BORDER PROTECTION

SEC. 101. SAFE THIRD COUNTRY.

Section 208(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)(A)) is amended—

(1) by striking ''if the Attorney General determines'' and inserting ''if the Attorney General or the Secretary of Homeland Security determines—'';

(2) by striking ''that the alien may be removed'' and inserting the following:

''(i) that the alien may be removed'';

(3) by striking '', pursuant to a bilateral or multilateral agreement, to'' and inserting ''to'';

(4) by inserting ''or the Secretary, on a case by case basis,'' before ''finds that'';

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

(6) by adding at the end the following:

''(ii) that the alien entered, attempted to enter, or arrived in the United States after transiting through at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States, unless—

''(I) the alien demonstrates that he or she applied for protection from persecution or torture in at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence through which the alien transited en route to the United States, and the alien received a final judgment denying the alien protection in each country;

''(II) the alien demonstrates that he or she was a victim of a severe form of trafficking in which a commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such act was under the age of 18 years; or in which the trafficking included the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and was unable to apply for protection from persecution in each country through which the alien transited en route to the United States as a result of such severe form of trafficking; or

''(III) the only countries through which the alien transited en route to the United States were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.''.

SEC. 102. CREDIBLE FEAR INTERVIEWS.

Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''there is a significant possibility'' and all that follows, and inserting '', taking into account the credibility of the statements made by the alien in support of the alien's claim, as determined pursuant to section 208(b)(1)(B)(iii), and such other facts as are known to the officer, the alien more likely than not could establish eligibility for asylum under section 208, and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true.''.

SEC. 103. CLARIFICATION OF ASYLUM ELIGIBILITY.

(a) IN GENERAL.—Section 208(b)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(A)) is amended by inserting after ''section 101(a)(42)(A)'' the following: ''(in accordance with the rules set forth in this section), and is eligible to apply for asylum under subsection (a)''.

(b) PLACE OF ARRIVAL.—Section 208(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(1)) is amended—

(1) by striking ''or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters),''; and

(2) by inserting after ''United States'' the following: ''and has arrived in the United States at a port of entry (including an alien who is brought to the United States after having been interdicted in international or United States waters),''.

SEC. 104. EXCEPTIONS.

Paragraph (2) of section 208(b) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)) is amended to read as follows:

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determines that—

''(i) the alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(ii) the alien has been convicted of any felony under Federal, State, tribal, or local law;

''(iii) the alien has been convicted of any misdemeanor offense under Federal, State, tribal, or local law involving—

''(I) the unlawful possession or use of an identification document, authentication feature, or false identification document (as those terms and phrases are defined in the jurisdiction where the conviction occurred), unless the alien can establish that the conviction resulted from circumstances showing that—

''(aa) the document or feature was presented before boarding a common carrier;

''(bb) the document or feature related to the alien's eligibility to enter the United States;

''(cc) the alien used the document or feature to depart a country wherein the alien has claimed a fear of persecution; and

''(dd) the alien claimed a fear of persecution without delay upon presenting himself or herself to an immigration officer upon arrival at a United States port of entry;

''(II) the unlawful receipt of a Federal public benefit (as defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c))), from a Federal entity, or the unlawful receipt of similar public benefits from a State, tribal, or local entity; or

''(III) possession or trafficking of a controlled substance or controlled substance paraphernalia, as those phrases are defined under the law of the jurisdiction where the conviction occurred, other than a single offense involving possession for one's own use of 30 grams or less of marijuana (as marijuana is defined under the law of the jurisdiction where the conviction occurred);

''(iv) the alien has been convicted of an offense arising under paragraph (1)(A) or (2) of section 274(a), or under section 276;

''(v) the alien has been convicted of a Federal, State, tribal, or local crime that the Attorney General or Secretary of Homeland Security knows, or has reason to believe, was committed in support, promotion, or furtherance of the activity of a criminal street gang (as defined under the law of the jurisdiction where the conviction occurred or in section 521(a) of title 18, United States Code);

''(vi) the alien has been convicted of an offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law, in which such intoxicated or impaired driving was a cause of serious bodily injury or death of another person;

''(vii) the alien has been convicted of more than one offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law;

''(viii) the alien has been convicted of a crime—

''(I) that involves conduct amounting to a crime of stalking;

''(II) of child abuse, child neglect, or child abandonment; or

''(III) that involves conduct amounting to a domestic assault or battery offense, including—

''(aa) a misdemeanor crime of domestic violence, as described in section 921(a)(33) of title 18, United States Code;

''(bb) a crime of domestic violence, as described in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)); or

''(cc) any crime based on conduct in which the alien harassed, coerced, intimidated, voluntarily or recklessly used (or threatened to use) force or violence against, or inflicted physical injury or physical pain, however slight, upon a person—

''(AA) who is a current or former spouse of the alien;

''(BB) with whom the alien shares a child;

''(CC) who is cohabitating with, or who has cohabitated with, the alien as a spouse;

''(DD) who is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(EE) who is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(ix) the alien has engaged in acts of battery or extreme cruelty upon a person and the person—

''(I) is a current or former spouse of the alien;

''(II) shares a child with the alien;

''(III) cohabitates or has cohabitated with the alien as a spouse;

''(IV) is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(V) is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(x) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States;

''(xi) there are serious reasons for believing that the alien has committed a serious nonpolitical crime outside the United States prior to the arrival of the alien in the United States;

''(xii) there are reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiii) the alien is described in subclause (I), (II), (III), (IV), or (VI) of section 212(a)(3)(B)(i) or section 237(a)(4)(B) (relating to terrorist activity), unless, in the case only of an alien inadmissible under subclause (IV) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the Secretary's or the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiv) the alien was firmly resettled in another country prior to arriving in the United States; or

''(xv) there are reasonable grounds for concluding the alien could avoid persecution by relocating to another part of the alien's country of nationality or, in the case of an alien having no nationality, another part of the alien's country of last habitual residence.

''(B) SPECIAL RULES.—

''(i) PARTICULARLY SERIOUS CRIME; SERIOUS NONPOLITICAL CRIME OUTSIDE THE UNITED STATES.—

''(I) IN GENERAL.—For purposes of subparagraph (A)(x), the Attorney General or Secretary of Homeland Security, in their discretion, may determine that a conviction constitutes a particularly serious crime based on—

''(aa) the nature of the conviction;

''(bb) the type of sentence imposed; or

''(cc) the circumstances and underlying facts of the conviction.

''(II) DETERMINATION.—In making a determination under subclause (I), the Attorney General or Secretary of Homeland Security may consider all reliable information and is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) TREATMENT OF FELONIES.—In making a determination under subclause (I), an alien who has been convicted of a felony (as defined under this section) or an aggravated felony (as defined under section 101(a)(43)), shall be considered to have been convicted of a particularly serious crime.

''(IV) INTERPOL RED NOTICE.—In making a determination under subparagraph (A)(xi), an Interpol Red Notice may constitute reliable evidence that the alien has committed a serious nonpolitical crime outside the United States.

''(ii) CRIMES AND EXCEPTIONS.—

''(I) DRIVING WHILE INTOXICATED OR IMPAIRED.—A finding under subparagraph (A)(vi) does not require the Attorney General or Secretary of Homeland Security to find the first conviction for driving while intoxicated or impaired (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense. The Attorney General or Secretary of Homeland Security need only make a factual determination that the alien previously was convicted for driving while intoxicated or impaired as those terms are defined under the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs).

''(II) STALKING AND OTHER CRIMES.—In making a determination under subparagraph (A)(viii), including determining the existence of a domestic relationship between the alien and the victim, the underlying conduct of the crime may be considered, and the Attorney General or Secretary of Homeland Security is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) BATTERY OR EXTREME CRUELTY.—In making a determination under subparagraph (A)(ix), the phrase 'battery or extreme cruelty' includes—

''(aa) any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury;

''(bb) psychological or sexual abuse or exploitation, including rape, molestation, incest, or forced prostitution, shall be considered acts of violence; and

''(cc) other abusive acts, including acts that, in and of themselves, may not initially appear violent, but that are a part of an overall pattern of violence.

''(IV) EXCEPTION FOR VICTIMS OF DOMESTIC VIOLENCE.—An alien who was convicted of an offense described in clause (viii) or (ix) of subparagraph (A) is not ineligible for asylum on that basis if the alien satisfies the criteria under section 237(a)(7)(A).

''(C) SPECIFIC CIRCUMSTANCES.—Paragraph (1) shall not apply to an alien whose claim is based on—

''(i) personal animus or retribution, including personal animus in which the alleged persecutor has not targeted, or manifested an animus against, other members of an alleged particular social group in addition to the member who has raised the claim at issue;

''(ii) the applicant's generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations absent expressive behavior in furtherance of a discrete cause against such organizations related to control of a State or expressive behavior that is antithetical to the State or a legal unit of the State;

''(iii) the applicant's resistance to recruitment or coercion by guerrilla, criminal, gang, terrorist, or other non-state organizations;

''(iv) the targeting of the applicant for criminal activity for financial gain based on wealth or affluence or perceptions of wealth or affluence;

''(v) the applicant's criminal activity; or

''(vi) the applicant's perceived, past or present, gang affiliation.

''(D) DEFINITIONS AND CLARIFICATIONS.—

''(i) DEFINITIONS.—For purposes of this paragraph:

''(I) FELONY.—The term 'felony' means—

''(aa) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime punishable by more than one year of imprisonment.

''(II) MISDEMEANOR.—The term 'misdemeanor' means—

''(aa) any crime defined as a misdemeanor by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime not punishable by more than one year of imprisonment.

''(ii) CLARIFICATIONS.—

''(I) CONSTRUCTION.—For purposes of this paragraph, whether any activity or conviction also may constitute a basis for removal is immaterial to a determination of asylum eligibility.

''(II) ATTEMPT, CONSPIRACY, OR SOLICITATION.—For purposes of this paragraph, all references to a criminal offense or criminal conviction shall be deemed to include any attempt, conspiracy, or solicitation to commit the offense or any other inchoate form of the offense.

''(III) EFFECT OF CERTAIN ORDERS.—

''(aa) IN GENERAL.—No order vacating a conviction, modifying a sentence, clarifying a sentence, or otherwise altering a conviction or sentence shall have any effect under this paragraph unless the Attorney General or Secretary of Homeland Security determines that—

''(AA) the court issuing the order had jurisdiction and authority to do so; and

''(BB) the order was not entered for rehabilitative purposes or for purposes of ameliorating the immigration consequences of the conviction or sentence.

''(bb) AMELIORATING IMMIGRATION CONSEQUENCES.—For purposes of item (aa)(BB), the order shall be presumed to be for the purpose of ameliorating immigration consequences if—

''(AA) the order was entered after the initiation of any proceeding to remove the alien from the United States; or

''(BB) the alien moved for the order more than one year after the date of the original order of conviction or sentencing, whichever is later.

''(cc) AUTHORITY OF IMMIGRATION JUDGE.—An immigration judge is not limited to consideration only of material included in any order vacating a conviction, modifying a sentence, or clarifying a sentence to determine whether such order should be given any effect under this paragraph, but may consider such additional information as the immigration judge determines appropriate.

''(E) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security or the Attorney General may by regulation establish additional limitations and conditions, consistent with this section, under which an alien shall be ineligible for asylum under paragraph (1).

''(F) NO JUDICIAL REVIEW.—There shall be no judicial review of a determination of the Secretary of Homeland Security or the Attorney General under subparagraph (A)(xiii).''.

SEC. 105. EMPLOYMENT AUTHORIZATION.

Paragraph (2) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(2) EMPLOYMENT AUTHORIZATION.—

''(A) AUTHORIZATION PERMITTED.—An applicant for asylum is not entitled to employment authorization, but such authorization may be provided under regulation by the Secretary of Homeland Security. An applicant who is not otherwise eligible for employment authorization shall not be granted such authorization prior to the date that is 180 days after the date of filing of the application for asylum.

''(B) TERMINATION.—Each grant of employment authorization under subparagraph (A), and any renewal or extension thereof, shall be valid for a period of 6 months, except that such authorization, renewal, or extension shall terminate prior to the end of such 6 month period as follows:

''(i) Immediately following the denial of an asylum application by an asylum officer, unless the case is referred to an immigration judge.

''(ii) 30 days after the date on which an immigration judge denies an asylum application, unless the alien timely appeals to the Board of Immigration Appeals.

''(iii) Immediately following the denial by the Board of Immigration Appeals of an appeal of a denial of an asylum application.

''(C) RENEWAL.—The Secretary of Homeland Security may not grant, renew, or extend employment authorization to an alien if the alien was previously granted employment authorization under subparagraph (A), and the employment authorization was terminated pursuant to a circumstance described in subparagraph (B)(i), (ii), or (iii), unless a Federal court of appeals remands the alien's case to the Board of Immigration Appeals.

''(D) INELIGIBILITY.—The Secretary of Homeland Security may not grant employment authorization to an alien under this paragraph if the alien—

''(i) is ineligible for asylum under subsection (b)(2)(A); or

''(ii) entered or attempted to enter the United States at a place and time other than lawfully through a United States port of entry.''.

SEC. 106. ASYLUM FEES.

Paragraph (3) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(3) FEES.—

''(A) APPLICATION FEE.—A fee of not less than $50 for each application for asylum shall be imposed. Such fee shall not exceed the cost of adjudicating the application. Such fee shall not apply to an unaccompanied alien child who files an asylum application in proceedings under section 240.

''(B) EMPLOYMENT AUTHORIZATION.—A fee may also be imposed for the consideration of an application for employment authorization under this section and for adjustment of status under section 209(b). Such a fee shall not exceed the cost of adjudicating the application.

''(C) PAYMENT.—Fees under this paragraph may be assessed and paid over a period of time or by installments.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the authority of the Attorney General or Secretary of Homeland Security to set adjudication and naturalization fees in accordance with section 286(m).''.

SEC. 107. RULES FOR DETERMINING ASYLUM ELIGIBILITY.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) RULES FOR DETERMINING ASYLUM ELIGIBILITY.—In making a determination under subsection (b)(1)(A) with respect to whether an alien is a refugee within the meaning of section 101(a)(42)(A), the following shall apply:

''(1) PARTICULAR SOCIAL GROUP.—The Secretary of Homeland Security or the Attorney General shall not determine that an alien is a member of a particular social group unless the alien articulates on the record, or provides a basis on the record for determining, the definition and boundaries of the alleged particular social group, establishes that the particular social group exists independently from the alleged persecution, and establishes that the alien's claim of membership in a particular social group does not involve—

''(A) past or present criminal activity or association (including gang membership);

''(B) presence in a country with generalized violence or a high crime rate;

''(C) being the subject of a recruitment effort by criminal, terrorist, or persecutory groups;

''(D) the targeting of the applicant for criminal activity for financial gain based on perceptions of wealth or affluence;

''(E) interpersonal disputes of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(F) private criminal acts of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(G) past or present terrorist activity or association;

''(H) past or present persecutory activity or association; or

''(I) status as an alien returning from the United States.

''(2) POLITICAL OPINION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien holds a political opinion with respect to which the alien is subject to persecution if the political opinion is constituted solely by generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations and does not include expressive behavior in furtherance of a cause against such organizations related to efforts by the State to control such organizations or behavior that is antithetical to or otherwise opposes the ruling legal entity of the State or a unit thereof.

''(3) PERSECUTION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien has been subject to persecution or has a well-founded fear of persecution based only on—

''(A) the existence of laws or government policies that are unenforced or infrequently enforced, unless there is credible evidence that such a law or policy has been or would be applied to the applicant personally; or

''(B) the conduct of rogue foreign government officials acting outside the scope of their official capacity.

''(4) DISCRETIONARY DETERMINATION.—

''(A) ADVERSE DISCRETIONARY FACTORS.—The Secretary of Homeland Security or the Attorney General may only grant asylum to an alien if the alien establishes that he or she warrants a favorable exercise of discretion. In making such a determination, the Attorney General or Secretary of Homeland Security shall consider, if applicable, an alien's use of fraudulent documents to enter the United States, unless the alien arrived in the United States by air, sea, or land directly from the applicant's home country without transiting through any other country.

''(B) FAVORABLE EXERCISE OF DISCRETION NOT PERMITTED.—Except as provided in subparagraph (C), the Attorney General or Secretary of Homeland Security shall not favorably exercise discretion under this section for any alien who—

''(i) has accrued more than one year of unlawful presence in the United States, as defined in sections 212(a)(9)(B)(ii) and (iii), prior to filing an application for asylum;

''(ii) at the time the asylum application is filed with the immigration court or is referred from the Department of Homeland Security, has—

''(I) failed to timely file (or timely file a request for an extension of time to file) any required Federal, State, or local income tax returns;

''(II) failed to satisfy any outstanding Federal, State, or local tax obligations; or

''(III) income that would result in tax liability under section 1 of the Internal Revenue Code of 1986 and that was not reported to the Internal Revenue Service;

''(iii) has had two or more prior asylum applications denied for any reason;

''(iv) has withdrawn a prior asylum application with prejudice or been found to have abandoned a prior asylum application;

''(v) failed to attend an interview regarding his or her asylum application with the Department of Homeland Security, unless the alien shows by a preponderance of the evidence that—

''(I) exceptional circumstances prevented the alien from attending the interview; or

''(II) the interview notice was not mailed to the last address provided by the alien or the alien's representative and neither the alien nor the alien's representative received notice of the interview; or

''(vi) was subject to a final order of removal, deportation, or exclusion and did not file a motion to reopen to seek asylum based on changed country conditions within one year of the change in country conditions.

''(C) EXCEPTIONS.—If one or more of the adverse discretionary factors set forth in subparagraph (B) are present, the Attorney General or the Secretary, may, notwithstanding such subparagraph (B), favorably exercise discretion under section 208—

''(i) in extraordinary circumstances, such as those involving national security or foreign policy considerations; or

''(ii) if the alien, by clear and convincing evidence, demonstrates that the denial of the

application for asylum would result in exceptional and extremely unusual hardship to the alien.

''(5) LIMITATION.—If the Secretary or the Attorney General determines that an alien fails to satisfy the requirement under paragraph (1), the alien may not be granted asylum based on membership in a particular social group, and may not appeal the determination of the Secretary or Attorney General, as applicable. A determination under this paragraph shall not serve as the basis for any motion to reopen or reconsider an application for asylum or withholding of removal for any reason, including a claim of ineffective assistance of counsel, unless the alien complies with the procedural requirements for such a motion and demonstrates that counsel's failure to define, or provide a basis for defining, a formulation of a particular social group was both not a strategic choice and constituted egregious conduct.

''(6) STEREOTYPES.—Evidence offered in support of an application for asylum that promotes cultural stereotypes about a country, its inhabitants, or an alleged persecutor, including stereotypes based on race, religion, nationality, or gender, shall not be admissible in adjudicating that application, except that evidence that an alleged persecutor holds stereotypical views of the applicant shall be admissible.

''(7) DEFINITIONS.—In this section:

''(A) The term 'membership in a particular social group' means membership in a group that is—

''(i) composed of members who share a common immutable characteristic;

''(ii) defined with particularity; and

''(iii) socially distinct within the society in question.

''(B) The term 'political opinion' means an ideal or conviction in support of the furtherance of a discrete cause related to political control of a state or a unit thereof.

''(C) The term 'persecution' means the infliction of a severe level of harm constituting an exigent threat by the government of a country or by persons or an organization that the government was unable or unwilling to control. Such term does not include—

''(i) generalized harm or violence that arises out of civil, criminal, or military strife in a country;

''(ii) all treatment that the United States regards as unfair, offensive, unjust, unlawful, or unconstitutional;

''(iii) intermittent harassment, including brief detentions;

''(iv) threats with no actual effort to carry out the threats, except that particularized threats of severe harm of an immediate and menacing nature made by an identified entity may constitute persecution; or

''(v) non-severe economic harm or property damage.''.

SEC. 108. FIRM RESETTLEMENT.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), as amended by this title, is further amended by adding at the end the following:

''(g) FIRM RESETTLEMENT.—In determining whether an alien was firmly resettled in another country prior to arriving in the United States under subsection (b)(2)(A)(xiv), the following shall apply:

''(1) IN GENERAL.—An alien shall be considered to have firmly resettled in another country if, after the events giving rise to the alien's asylum claim—

''(A) the alien resided in a country through which the alien transited prior to arriving in or entering the United States and—

''(i) received or was eligible for any permanent legal immigration status in that country;

''(ii) resided in such a country with any non-permanent but indefinitely renewable legal immigration status (including asylee, refugee, or similar status, but excluding status of a tourist); or

''(iii) resided in such a country and could have applied for and obtained an immigration status described in clause (ii);

''(B) the alien physically resided voluntarily, and without continuing to suffer persecution or torture, in any one country for one year or more after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States, except for any time spent in Mexico by an alien who is not a native or citizen of Mexico solely as a direct result of being returned to Mexico pursuant to section 235(b)(3) or of being subject to metering; or

''(C) the alien is a citizen of a country other than the country in which the alien alleges a fear of persecution, or was a citizen of such a country in the case of an alien who renounces such citizenship, and the alien was present in that country after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States.

''(2) BURDEN OF PROOF.—If an immigration judge determines that an alien has firmly resettled in another country under paragraph (1), the alien shall bear the burden of proving the bar does not apply.

''(3) FIRM RESETTLEMENT OF PARENT.—An alien shall be presumed to have been firmly resettled in another country if the alien's parent was firmly resettled in another country, the parent's resettlement occurred before the alien turned 18 years of age, and the alien resided with such parent at the time of the firm resettlement, unless the alien establishes that he or she could not have derived any permanent legal immigration status or any non-permanent but indefinitely renewable legal immigration status (including asylum, refugee, or similar status, but excluding status of a tourist) from the alien's parent.''.

SEC. 109. NOTICE CONCERNING FRIVOLOUS ASYLUM APPLICATIONS.

(a) IN GENERAL.—Section 208(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(4)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General'';

(2) in subparagraph (A), by striking ''and of the consequences, under paragraph (6), of knowingly filing a frivolous application for asylum; and'' and inserting a semicolon;

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) ensure that a written warning appears on the asylum application advising the alien of the consequences of filing a frivolous application and serving as notice to the alien of the consequence of filing a frivolous application.''.

(b) CONFORMING AMENDMENT.—Section 208(d)(6) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(6)) is amended by striking ''If the'' and all that follows and inserting:

''(A) IN GENERAL.—If the Secretary of Homeland Security or the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(C), the alien shall be permanently ineligible for any benefits under this chapter, effective as the date of the final determination of such an application.

''(B) CRITERIA.—An application is frivolous if the Secretary of Homeland Security or the Attorney General determines, consistent with subparagraph (C), that—

''(i) it is so insufficient in substance that it is clear that the applicant knowingly filed the application solely or in part to delay removal from the United States, to seek employment authorization as an applicant for asylum pursuant to regulations issued pursuant to paragraph (2), or to seek issuance of a Notice to Appear in order to pursue Cancellation of Removal under section 240A(b); or

''(ii) any of the material elements are knowingly fabricated.

''(C) SUFFICIENT OPPORTUNITY TO CLARIFY.—In determining that an application is frivolous, the Secretary or the Attorney General, must be satisfied that the applicant, during the course of the proceedings, has had sufficient opportunity to clarify any discrepancies or implausible aspects of the claim.

''(D) WITHHOLDING OF REMOVAL NOT PRECLUDED.—For purposes of this section, a finding that an alien filed a frivolous asylum application shall not preclude the alien from seeking withholding of removal under section 241(b)(3) or protection pursuant to the Convention Against Torture.''.

SEC. 110. TECHNICAL AMENDMENTS.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(D), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(B) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(C) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'' each place such term appears; and

(B) in paragraph (5)—

(i) in subparagraph (A), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(ii) in subparagraph (B), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''.

SEC. 111. REQUIREMENT FOR PROCEDURES RELATING TO CERTAIN ASYLUM APPLICATIONS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall establish procedures to expedite the adjudication of asylum applications for aliens—

(1) who are subject to removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a); and

(2) who are nationals of a Western Hemisphere country sanctioned by the United States, as described in subsection (b), as of January 1, 2023.

(b) WESTERN HEMISPHERE COUNTRY SANCTIONED BY THE UNITED STATES DESCRIBED.—Subsection (a) shall apply only to an asylum application filed by an alien who is a national of a Western Hemisphere country subject to sanctions pursuant to—

(1) the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 note);

(2) the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 or the RENACER Act (50 U.S.C. 1701 note); or

(3) Executive Order 13692 (80 Fed. Reg. 12747; declaring a national emergency with respect to the situation in Venezuela).

(c) APPLICABILITY.—This section shall only apply to an alien who files an application for

asylum after the date of the enactment of this Act.

TITLE II—BORDER SAFETY AND MIGRANT PROTECTION

SEC. 201. INSPECTION OF APPLICANTS FOR ADMISSION.

Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clauses (i) and (ii), by striking ''section 212(a)(6)(C)'' and inserting ''subparagraph (A) or (C) of section 212(a)(6)''; and

(II) by adding at the end the following:

''(iv) INELIGIBILITY FOR PAROLE.—An alien described in clause (i) or (ii) shall not be eligible for parole except as expressly authorized pursuant to section 212(d)(5), or for parole or release pursuant to section 236(a).''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''asylum.'' and inserting ''asylum and shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(II) in clause (iii)(IV)—

(aa) in the header by striking ''DETENTION'' and inserting ''DETENTION, RETURN, OR REMOVAL''; and

(bb) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''Subject to subparagraphs (B) and (C),'' and inserting ''Subject to subparagraph (B) and paragraph (3),''; and

(II) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(ii) by striking subparagraph (C);

(C) by redesignating paragraph (3) as paragraph (5); and

(D) by inserting after paragraph (2) the following:

''(3) RETURN TO FOREIGN TERRITORY CONTIGUOUS TO THE UNITED STATES.—

''(A) IN GENERAL.—The Secretary of Homeland Security may return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(B) MANDATORY RETURN.—If at any time the Secretary of Homeland Security cannot—

''(i) comply with its obligations to detain an alien as required under clauses (ii) and (iii)(IV) of subsection (b)(1)(B) and subsection (b)(2)(A); or

''(ii) remove an alien to a country described in section 208(a)(2)(A),

the Secretary of Homeland Security shall, without exception, including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5), return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(4) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—The attorney general of a State, or other authorized State officer, alleging a violation of the detention, return, or removal requirements under paragraph (1), (2), or (3) that affects such State or its residents, may bring an action against the Secretary of Homeland Security on behalf of the residents of the State in an appropriate United States district court to obtain appropriate injunctive relief.''; and

(2) by adding at the end the following:

''(e) AUTHORITY TO PROHIBIT INTRODUCTION OF CERTAIN ALIENS.—If the Secretary of Homeland Security determines, in his discretion, that the prohibition of the introduction of aliens who are inadmissible under subparagraph (A) or (C) of section 212(a)(6) or under section 212(a)(7) at an international land or maritime border of the United States is necessary to achieve operational control (as defined in section 2 of the Secure Fence Act of 2006 (8 U.S.C. 1701 note)) of such border, the Secretary may prohibit, in whole or in part, the introduction of such aliens at such border for such period of time as the Secretary determines is necessary for such purpose.''.

SEC. 202. OPERATIONAL DETENTION FACILITIES.

(a) IN GENERAL.—Not later than September 30, 2023, the Secretary of Homeland Security shall take all necessary actions to reopen or restore all U.S. Immigration and Customs Enforcement detention facilities that were in operation on January 20, 2021, that subsequently closed or with respect to which the use was altered, reduced, or discontinued after January 20, 2021. In carrying out the requirement under this subsection, the Secretary may use the authority under section 103(a)(11) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(11)).

(b) SPECIFIC FACILITIES.—The requirement under subsection (a) shall include at a minimum, reopening, or restoring, the following facilities:

(1) Irwin County Detention Center in Georgia.

(2) C. Carlos Carreiro Immigration Detention Center in Bristol County, Massachusetts.

(3) Etowah County Detention Center in Gadsden, Alabama.

(4) Glades County Detention Center in Moore Haven, Florida.

(5) South Texas Family Residential Center.

(c) EXCEPTION.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Secretary of Homeland Security is authorized to obtain equivalent capacity for detention facilities at locations other than those listed in subsection (b).

(2) LIMITATION.—The Secretary may not take action under paragraph (1) unless the capacity obtained would result in a reduction of time and cost relative to the cost and time otherwise required to obtain such capacity.

(3) SOUTH TEXAS FAMILY RESIDENTIAL CENTER.—The exception under paragraph (1) shall not apply to the South Texas Family Residential Center. The Secretary shall take all necessary steps to modify and operate the South Texas Family Residential Center in the same manner and capability it was operating on January 20, 2021.

(d) PERIODIC REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until September 30, 2027, the Secretary of Homeland Security shall submit to the appropriate congressional committees a detailed plan for and a status report on—

(1) compliance with the deadline under subsection (a);

(2) the increase in detention capabilities required by this section—

(A) for the 90-day period immediately preceding the date such report is submitted; and

(B) for the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(3) the number of detention beds that were used and the number of available detention beds that were not used during—

(A) the 90-day period immediately preceding the date such report is submitted; and

(B) the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(4) the number of aliens released due to a lack of available detention beds; and

(5) the resources the Department of Homeland Security needs in order to comply with the requirements under this section.

(e) NOTIFICATION.—The Secretary of Homeland Security shall notify Congress, and include with such notification a detailed description of the resources the Department of Homeland Security needs in order to detain all aliens whose detention is mandatory or nondiscretionary under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)—

(1) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 90 percent of capacity;

(2) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 95 percent of capacity; and

(3) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach full capacity.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on the Judiciary of the Senate; and

(4) the Committee on Appropriations of the Senate.

TITLE III—PREVENTING UNCONTROLLED MIGRATION FLOWS IN THE WESTERN HEMISPHERE

SEC. 301. UNITED STATES POLICY REGARDING WESTERN HEMISPHERE COOPERATION ON IMMIGRATION AND ASYLUM.

It is the policy of the United States to enter into agreements, accords, and memoranda of understanding with countries in the Western Hemisphere, the purposes of which are to advance the interests of the United States by reducing costs associated with illegal immigration and to protect the human capital, societal traditions, and economic growth of other countries in the Western Hemisphere. It is further the policy of the United States to ensure that humanitarian and development assistance funding aimed at reducing illegal immigration is not expended on programs that have not proven to reduce illegal immigrant flows in the aggregate.

SEC. 302. NEGOTIATIONS BY SECRETARY OF STATE.

(a) AUTHORIZATION TO NEGOTIATE.—The Secretary of State shall seek to negotiate agreements, accords, and memoranda of understanding between the United States, Mexico, Honduras, El Salvador, Guatemala, and other countries in the Western Hemisphere with respect to cooperation and burden sharing required for effective regional immigration enforcement, expediting legal claims by aliens for asylum, and the processing, detention, and repatriation of foreign nationals seeking to enter the United States unlawfully. Such agreements shall be designed to

facilitate a regional approach to immigration enforcement and shall, at a minimum, provide that—

(1) the Government of Mexico authorize and accept the rapid entrance into Mexico of nationals of countries other than Mexico who seek asylum in Mexico, and process the asylum claims of such nationals inside Mexico, in accordance with both domestic law and international treaties and conventions governing the processing of asylum claims;

(2) the Government of Mexico authorize and accept both the rapid entrance into Mexico of all nationals of countries other than Mexico who are ineligible for asylum in Mexico and wish to apply for asylum in the United States, whether or not at a port of entry, and the continued presence of such nationals in Mexico while they wait for the adjudication of their asylum claims to conclude in the United States;

(3) the Government of Mexico commit to provide the individuals described in paragraphs (1) and (2) with appropriate humanitarian protections;

(4) the Government of Honduras, the Government of El Salvador, and the Government of Guatemala each authorize and accept the entrance into the respective countries of nationals of other countries seeking asylum in the applicable such country and process such claims in accordance with applicable domestic law and international treaties and conventions governing the processing of asylum claims;

(5) the Government of the United States commit to work to accelerate the adjudication of asylum claims and to conclude removal proceedings in the wake of asylum adjudications as expeditiously as possible;

(6) the Government of the United States commit to continue to assist the governments of countries in the Western Hemisphere, such as the Government of Honduras, the Government of El Salvador, and the Government of Guatemala, by supporting the enhancement of asylum capacity in those countries; and

(7) the Government of the United States commit to monitoring developments in hemispheric immigration trends and regional asylum capabilities to determine whether additional asylum cooperation agreements are warranted.

(b) NOTIFICATION IN ACCORDANCE WITH CASE-ZABLOCKI ACT.—The Secretary of State shall, in accordance with section 112b of title 1, United States Code, promptly inform the relevant congressional committees of each agreement entered into pursuant to subsection (a). Such notifications shall be submitted not later than 48 hours after such agreements are signed.

(c) ALIEN DEFINED.—In this section, the term ''alien'' has the meaning given such term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

SEC. 303. MANDATORY BRIEFINGS ON UNITED STATES EFFORTS TO ADDRESS THE BORDER CRISIS.

(a) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter until the date described in subsection (b), the Secretary of State, or the designee of the Secretary of State, shall provide to the appropriate congressional committees an in-person briefing on efforts undertaken pursuant to the negotiation authority provided by section 302 of this title to monitor, deter, and prevent illegal immigration to the United States, including by entering into agreements, accords, and memoranda of understanding with foreign countries and by using United States foreign assistance to stem the root causes of migration in the Western Hemisphere.

(b) TERMINATION OF MANDATORY BRIEFING.—The date described in this subsection is the date on which the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, determines and certifies to the appropriate congressional committees that illegal immigration flows have subsided to a manageable rate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE IV—ENSURING UNITED FAMILIES AT THE BORDER

SEC. 401. CLARIFICATION OF STANDARDS FOR FAMILY DETENTION.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

''(j) CONSTRUCTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, the detention of any alien child who is not an unaccompanied alien child shall be governed by sections 217, 235, 236, and 241 of the Immigration and Nationality Act (8 U.S.C. 1187, 1225, 1226, and 1231). There is no presumption that an alien child who is not an unaccompanied alien child should not be detained.

''(2) FAMILY DETENTION.—The Secretary of Homeland Security shall—

''(A) maintain the care and custody of an alien, during the period during which the charges described in clause (i) are pending, who—

''(i) is charged only with a misdemeanor offense under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)); and

''(ii) entered the United States with the alien's child who has not attained 18 years of age; and

''(B) detain the alien with the alien's child.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the amendments in this section to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) are intended to satisfy the requirements of the Settlement Agreement in Flores v. Meese, No. 85–4544 (C.D. Cal), as approved by the court on January 28, 1997, with respect to its interpretation in Flores v. Johnson, 212 F. Supp. 3d 864 (C.D. Cal. 2015), that the agreement applies to accompanied minors.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to all actions that occur before, on, or after such date.

(d) PREEMPTION OF STATE LICENSING REQUIREMENTS.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, no State may require that an immigration detention facility used to detain children who have not attained 18 years of age, or families consisting of one or more of such children and the parents or legal guardians of such children, that is located in that State, be licensed by the State or any political subdivision thereof.

TITLE V—PROTECTION OF CHILDREN

SEC. 501. FINDINGS.

Congress makes the following findings:

(1) Implementation of the provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children has incentivized multiple surges of unaccompanied alien children arriving at the southwest border in the years since the bill's enactment.

(2) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children treat unaccompanied alien children from countries that are contiguous to the United States disparately by swiftly returning them to their home country absent indications of trafficking or a credible fear of return, but allowing for the release of unaccompanied alien children from noncontiguous countries into the interior of the United States, often to those individuals who paid to smuggle them into the country in the first place.

(3) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 governing unaccompanied alien children have enriched the cartels, who profit hundreds of millions of dollars each year by smuggling unaccompanied alien children to the southwest border, exploiting and sexually abusing many such unaccompanied alien children on the perilous journey.

(4) Prior to 2008, the number of unaccompanied alien children encountered at the southwest border never exceeded 1,000 in a single year.

(5) The United States is currently in the midst of the worst crisis of unaccompanied alien children in our Nation's history, with over 350,000 such unaccompanied alien children encountered at the southwest border since Joe Biden became President.

(6) In 2022, during the Biden Administration, 152,057 unaccompanied alien children were encountered, the most ever in a single year and an over 400 percent increase compared to the last full fiscal year of the Trump Administration in which 33,239 unaccompanied alien children were encountered.

(7) The Biden Administration has lost contact with at least 85,000 unaccompanied alien children who entered the United States since Joe Biden took office.

(8) The Biden Administration dismantled effective safeguards put in place by the Trump Administration that protected unaccompanied alien children from being abused by criminals or exploited for illegal and dangerous child labor.

(9) A recent New York Times investigation found that unaccompanied alien children are being exploited in the labor market and ''are ending up in some of the most punishing jobs in the country.''.

(10) The Times investigation found unaccompanied alien children, ''under intense pressure to earn money'' in order to ''send cash back to their families while often being in debt to their sponsors for smuggling fees, rent, and living expenses,'' feared ''that they had become trapped in circumstances they never could have imagined.''.

(11) The Biden Administration's Department of Health and Human Services Secretary Xavier Becerra compared placing unaccompanied alien children with sponsors, to widgets in an assembly line, stating that, ''If Henry Ford had seen this in his plant, he would have never become famous and rich. This is not the way you do an assembly line.''.

(12) Department of Health and Human Services employees working under Secretary Xavier Becerra's leadership penned a July 2021 memorandum expressing serious concern that ''labor trafficking was increasing'' and that the agency had become ''one that rewards individuals for making quick releases, and not one that rewards individuals for preventing unsafe releases.''.

(13) Despite this, Secretary Xavier Becerra pressured then-Director of the Office of Refugee Resettlement Cindy Huang to prioritize releases of unaccompanied alien children over ensuring their safety, telling her ''if she could not increase the number of discharges he would find someone who could'' and then-Director Huang resigned one month later.

(14) In June 2014, the Obama-Biden Administration requested legal authority to exercise discretion in returning and removing unaccompanied alien children from non-contiguous countries back to their home countries.

(15) In August 2014, the House of Representatives passed H.R. 5320, which included the Protection of Children Act.

(16) This title ends the disparate policies of the Trafficking Victims Protection Reauthorization Act of 2008 by ensuring the swift return of all unaccompanied alien children to their country of origin if they are not victims of trafficking and do not have a fear of return.

SEC. 502. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by amending the heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States'';

(II) in clause (i), by inserting ''and'' at the end;

(III) in clause (ii), by striking ''; and'' and inserting a period; and

(IV) by striking clause (iii); and

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''(8 U.S.C. 1101 et seq.) may—'' and inserting ''(8 U.S.C. 1101 et seq.)—'';

(II) in clause (i), by inserting before ''permit such child to withdraw'' the following: ''may''; and

(III) in clause (ii), by inserting before ''return such child'' the following: ''shall''; and

(B) in paragraph (5)(D)—

(i) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to exceptions under subsection (a)(2),'' and inserting ''who does not meet the criteria listed in paragraph (2)(A)''; and

(ii) in clause (i), by inserting before the semicolon at the end the following: '', which shall include a hearing before an immigration judge not later than 14 days after being screened under paragraph (4)'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting before the semicolon the following: ''believed not to meet the criteria listed in subsection (a)(2)(A)''; and

(ii) in subparagraph (B), by inserting before the period the following: ''and does not meet the criteria listed in subsection (a)(2)(A)''; and

(B) in paragraph (3), by striking ''an unaccompanied alien child in custody shall'' and all that follows, and inserting the following: ''an unaccompanied alien child in custody—

''(A) in the case of a child who does not meet the criteria listed in subsection (a)(2)(A), shall transfer the custody of such child to the Secretary of Health and Human Services not later than 30 days after determining that such child is an unaccompanied alien child who does not meet such criteria; or

''(B) in the case of a child who meets the criteria listed in subsection (a)(2)(A), may transfer the custody of such child to the Secretary of Health and Human Services after determining that such child is an unaccompanied alien child who meets such criteria.'';

and

(3) in subsection (c)—

(A) in paragraph (3), by inserting at the end the following:

''(D) INFORMATION ABOUT INDIVIDUALS WITH WHOM CHILDREN ARE PLACED.—

''(i) INFORMATION TO BE PROVIDED TO HOMELAND SECURITY.—Before placing a child with an individual, the Secretary of Health and Human Services shall provide to the Secretary of Homeland Security, regarding the individual with whom the child will be placed, information on—

''(I) the name of the individual;

''(II) the social security number of the individual;

''(III) the date of birth of the individual;

''(IV) the location of the individual's residence where the child will be placed;

''(V) the immigration status of the individual, if known; and

''(VI) contact information for the individual.

''(ii) ACTIVITIES OF THE SECRETARY OF HOMELAND SECURITY.—Not later than 30 days after receiving the information listed in clause (i), the Secretary of Homeland Security, upon determining that an individual with whom a child is placed is unlawfully present in the United States and not in removal proceedings pursuant to chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), shall initiate such removal proceedings.''; and

(B) in paragraph (5)—

(i) by inserting after ''to the greatest extent practicable'' the following: ''(at no expense to the Government)''; and

(ii) by striking ''have counsel to represent them'' and inserting ''have access to counsel to represent them''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any unaccompanied alien child (as such term is defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) apprehended on or after the date that is 30 days after the date of the enactment of this Act.

SEC. 503. SPECIAL IMMIGRANT JUVENILE STATUS FOR IMMIGRANTS UNABLE TO REUNITE WITH EITHER PARENT.

Section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is amended—

(1) in clause (i), by striking '', and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law''; and

(2) in clause (iii)—

(A) in subclause (I), by striking ''and'' at the end;

(B) in subclause (II), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(III) an alien may not be granted special immigrant status under this subparagraph if the alien's reunification with any one parent or legal guardian is not precluded by abuse, neglect, abandonment, or any similar cause under State law;''.

SEC. 504. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit the following procedures or practices relating to an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))):

(1) Screening of such a child for a credible fear of return to his or her country of origin.

(2) Screening of such a child to determine whether he or she was a victim of trafficking.

(3) Department of Health and Human Services policy in effect on the date of the enactment of this Act requiring a home study for such a child if he or she is under 12 years of age.

TITLE VI—VISA OVERSTAYS PENALTIES

SEC. 601. EXPANDED PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended—

(1) in subsection (a) by inserting after ''for a subsequent commission of any such offense'' the following: ''or if the alien was previously convicted of an offense under subsection (e)(2)(A)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''at least $50 and not more than $250'' and inserting ''not less than $500 and not more than $1,000''; and

(B) in paragraph (2), by inserting after ''in the case of an alien who has been previously subject to a civil penalty under this subsection'' the following: ''or subsection (e)(2)(B)''; and

(3) by adding at the end the following:

''(e) VISA OVERSTAYS.—

''(1) IN GENERAL.—An alien who was admitted as a nonimmigrant has violated this paragraph if the alien, for an aggregate of 10 days or more, has failed—

''(A) to maintain the nonimmigrant status in which the alien was admitted, or to which it was changed under section 248, including complying with the period of stay authorized by the Secretary of Homeland Security in connection with such status; or

''(B) to comply otherwise with the conditions of such nonimmigrant status.

''(2) PENALTIES.—An alien who has violated paragraph (1)—

''(A) shall—

''(i) for the first commission of such a violation, be fined under title 18, United States Code, or imprisoned not more than 6 months, or both; and

''(ii) for a subsequent commission of such a violation, or if the alien was previously convicted of an offense under subsection (a), be fined under such title 18, or imprisoned not more than 2 years, or both; and

''(B) in addition to, and not in lieu of, any penalty under subparagraph (A) and any other criminal or civil penalties that may be imposed, shall be subject to a civil penalty of—

''(i) not less than $500 and not more than $1,000 for each violation; or

''(ii) twice the amount specified in clause (i), in the case of an alien who has been previously subject to a civil penalty under this subparagraph or subsection (b).''.

TITLE VII—IMMIGRATION PAROLE REFORM

SEC. 701. IMMIGRATION PAROLE REFORM.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

''(5)(A) Except as provided in subparagraphs (B) and (C) and section 214(f), the Secretary of Homeland Security, in the discretion of the Secretary, may temporarily parole into the United States any alien applying for admission to the United States who is not present in the United States, under such conditions as the Secretary may prescribe, on a case-by-case basis, and not according to eligibility criteria describing an entire class of potential parole recipients, for urgent humanitarian reasons or significant public benefit. Parole granted under this subparagraph may not be regarded as an admission of the alien. When the purposes of such parole have been served in the opinion of the Secretary, the alien shall immediately return or be returned to the custody from which the alien was paroled. After such return, the case of the alien shall be dealt with in the same manner as the case of any other applicant for admission to the United States.

''(B) The Secretary of Homeland Security may grant parole to any alien who—

''(i) is present in the United States without lawful immigration status;

''(ii) is the beneficiary of an approved petition under section 203(a);

''(iii) is not otherwise inadmissible or removable; and

''(iv) is the spouse or child of a member of the Armed Forces serving on active duty.

''(C) The Secretary of Homeland Security may grant parole to any alien—

''(i) who is a national of the Republic of Cuba and is living in the Republic of Cuba;

''(ii) who is the beneficiary of an approved petition under section 203(a);

''(iii) for whom an immigrant visa is not immediately available;

''(iv) who meets all eligibility requirements for an immigrant visa;

''(v) who is not otherwise inadmissible; and

''(vi) who is receiving a grant of parole in furtherance of the commitment of the United States to the minimum level of annual legal migration of Cuban nationals to the United States specified in the U.S.-Cuba Joint Communiqué on Migration, done at New York September 9, 1994, and reaffirmed in the Cuba-United States: Joint Statement on Normalization of Migration, Building on the Agreement of September 9, 1994, done at New York May 2, 1995.

''(D) The Secretary of Homeland Security may grant parole to an alien who is returned to a contiguous country under section 235(b)(3) to allow the alien to attend the alien's immigration hearing. The grant of parole shall not exceed the time required for the alien to be escorted to, and attend, the alien's immigration hearing scheduled on the same calendar day as the grant, and to immediately thereafter be escorted back to the contiguous country. A grant of parole under this subparagraph shall not be considered for purposes of determining whether the alien is inadmissible under this Act.

''(E) For purposes of determining an alien's eligibility for parole under subparagraph (A), an urgent humanitarian reason shall be limited to circumstances in which the alien establishes that—

''(i)(I) the alien has a medical emergency; and

''(II)(aa) the alien cannot obtain necessary treatment in the foreign state in which the alien is residing; or

''(bb) the medical emergency is life threatening and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(ii) the alien is the parent or legal guardian of an alien described in clause (i) and the alien described in clause (i) is a minor;

''(iii) the alien is needed in the United States in order to donate an organ or other tissue for transplant and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(iv) the alien has a close family member in the United States whose death is imminent and the alien could not arrive in the United States in time to see such family member alive if the alien were to be admitted to the United States through the normal visa process;

''(v) the alien is seeking to attend the funeral of a close family member and the alien could not arrive in the United States in time to attend such funeral if the alien were to be admitted to the United States through the normal visa process;

''(vi) the alien is an adopted child with an urgent medical condition who is in the legal custody of the petitioner for a final adoption-related visa and whose medical treatment is required before the expected award of a final adoption-related visa; or

''(vii) the alien is a lawful applicant for adjustment of status under section 245 and is returning to the United States after temporary travel abroad.

''(F) For purposes of determining an alien's eligibility for parole under subparagraph (A), a significant public benefit may be determined to result from the parole of an alien only if—

''(i) the alien has assisted (or will assist, whether knowingly or not) the United States Government in a law enforcement matter;

''(ii) the alien's presence is required by the Government in furtherance of such law enforcement matter; and

''(iii) the alien is inadmissible, does not satisfy the eligibility requirements for admission as a nonimmigrant, or there is insufficient time for the alien to be admitted to the United States through the normal visa process.

''(G) For purposes of determining an alien's eligibility for parole under subparagraph (A), the term 'case-by-case basis' means that the facts in each individual case are considered and parole is not granted based on membership in a defined class of aliens to be granted parole. The fact that aliens are considered for or granted parole one by one and not as a group is not sufficient to establish that the parole decision is made on a 'case-by-case basis'.

''(H) The Secretary of Homeland Security may not use the parole authority under this paragraph to parole an alien into the United States for any reason or purpose other than those described in subparagraphs (B), (C), (D), (E), and (F).

''(I) An alien granted parole may not accept employment, except that an alien granted parole pursuant to subparagraph (B) or (C) is authorized to accept employment for the duration of the parole, as evidenced by an employment authorization document issued by the Secretary of Homeland Security.

''(J) Parole granted after a departure from the United States shall not be regarded as an admission of the alien. An alien granted parole, whether as an initial grant of parole or parole upon reentry into the United States, is not eligible to adjust status to lawful permanent residence or for any other immigration benefit if the immigration status the alien had at the time of departure did not authorize the alien to adjust status or to be eligible for such benefit.

''(K)(i) Except as provided in clauses (ii) and (iii), parole shall be granted to an alien under this paragraph for the shorter of—

''(I) a period of sufficient length to accomplish the activity described in subparagraph (D), (E), or (F) for which the alien was granted parole; or

''(II) 1 year.

''(ii) Grants of parole pursuant to subparagraph (A) may be extended once, in the discretion of the Secretary, for an additional period that is the shorter of—

''(I) the period that is necessary to accomplish the activity described in subparagraph (E) or (F) for which the alien was granted parole; or

''(II) 1 year.

''(iii) Aliens who have a pending application to adjust status to permanent residence under section 245 may request extensions of parole under this paragraph, in 1-year increments, until the application for adjustment has been adjudicated. Such parole shall terminate immediately upon the denial of such adjustment application.

''(L) Not later than 90 days after the last day of each fiscal year, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives and make available to the public, a report—

''(i) identifying the total number of aliens paroled into the United States under this paragraph during the previous fiscal year; and

''(ii) containing information and data regarding all aliens paroled during such fiscal year, including—

''(I) the duration of parole;

''(II) the type of parole; and

''(III) the current status of the aliens so paroled.''.

SEC. 702. IMPLEMENTATION.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date that is 30 days after the date of the enactment of this Act.

(b) EXCEPTIONS.—Notwithstanding subsection (a), each of the following exceptions apply:

(1) Any application for parole or advance parole filed by an alien before the date of the enactment of this Act shall be adjudicated under the law that was in effect on the date on which the application was properly filed and any approved advance parole shall remain valid under the law that was in effect on the date on which the advance parole was approved.

(2) Section 212(d)(5)(J) of the Immigration and Nationality Act, as added by section 701 of this title, shall take effect on the date of the enactment of this Act.

(3) Aliens who were paroled into the United States pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A)) before January 1, 2023, shall continue to be subject to the terms of parole that were in effect on the date on which their respective parole was approved.

SEC. 703. CAUSE OF ACTION.

Any person, State, or local government that experiences financial harm in excess of $1,000 due to a failure of the Federal Government to lawfully apply the provisions of this title or the amendments made by this title shall have standing to bring a civil action against the Federal Government in an appropriate district court of the United States for appropriate relief.

SEC. 704. SEVERABILITY.

If any provision of this title or any amendment by this title, or the application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and the application of such provision or amendment to any other person or circumstance shall not be affected.

TITLE VIII—LEGAL WORKFORCE

SEC. 801. EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.

(a) IN GENERAL.—Section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)) is amended to read as follows:

''(b) EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.—

''(1) NEW HIRES, RECRUITMENT, AND REFERRAL.—The requirements referred to in paragraphs (1)(B) and (3) of subsection (a) are, in the case of a person or other entity hiring, recruiting, or referring an individual for employment in the United States, the following:

''(A) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(i) ATTESTATION.—During the verification period (as defined in subparagraph (E)), the person or entity shall attest, under penalty of perjury and on a form, including electronic format, designated or established by the Secretary by regulation not later than 6 months after the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, that it has verified that the individual is not an unauthorized alien by—

''(I) obtaining from the individual the individual's social security account number or

United States passport number and recording the number on the form (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under subparagraph (B), obtaining such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary of Homeland Security may specify, and recording such number on the form; and

''(II) examining—

''(aa) a document relating to the individual presenting it described in clause (ii); or

''(bb) a document relating to the individual presenting it described in clause (iii) and a document relating to the individual presenting it described in clause (iv).

''(ii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION AND ESTABLISHING IDENTITY.—A document described in this subparagraph is an individual's—

''(I) unexpired United States passport or passport card;

''(II) unexpired permanent resident card that contains a photograph;

''(III) unexpired employment authorization card that contains a photograph;

''(IV) in the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I–94 or Form I–94A, or other documentation as designated by the Secretary specifying the alien's nonimmigrant status as long as the period of status has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified in the documentation;

''(V) passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I–94 or Form I–94A, or other documentation as designated by the Secretary, indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI; or

''(VI) other document designated by the Secretary of Homeland Security, if the document—

''(aa) contains a photograph of the individual and biometric identification data from the individual and such other personal identifying information relating to the individual as the Secretary of Homeland Security finds, by regulation, sufficient for purposes of this clause;

''(bb) is evidence of authorization of employment in the United States; and

''(cc) contains security features to make it resistant to tampering, counterfeiting, and fraudulent use.

''(iii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document described in this subparagraph is an individual's social security account number card (other than such a card which specifies on the face that the issuance of the card does not authorize employment in the United States).

''(iv) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document described in this subparagraph is—

''(I) an individual's unexpired State issued driver's license or identification card if it contains a photograph and information such as name, date of birth, gender, height, eye color, and address;

''(II) an individual's unexpired United States military identification card;

''(III) an individual's unexpired Native American tribal identification document issued by a tribal entity recognized by the Bureau of Indian Affairs; or

''(IV) in the case of an individual under 18 years of age, a parent or legal guardian's attestation under penalty of law as to the identity and age of the individual.

''(v) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary of Homeland Security finds, by regulation, that any document described in clause (i), (ii), or (iii) as establishing employment authorization or identity does not reliably establish such authorization or identity or is being used fraudulently to an unacceptable degree, the Secretary may prohibit or place conditions on its use for purposes of this paragraph.

''(vi) SIGNATURE.—Such attestation may be manifested by either a handwritten or electronic signature.

''(B) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—During the verification period (as defined in subparagraph (E)), the individual shall attest, under penalty of perjury on the form designated or established for purposes of subparagraph (A), that the individual is a citizen or national of the United States, an alien lawfully admitted for permanent residence, or an alien who is authorized under this Act or by the Secretary of Homeland Security to be hired, recruited, or referred for such employment. Such attestation may be manifested by either a handwritten or electronic signature. The individual shall also provide that individual's social security account number or United States passport number (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under this subparagraph, such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary may specify.

''(C) RETENTION OF VERIFICATION FORM AND VERIFICATION.—

''(i) IN GENERAL.—After completion of such form in accordance with subparagraphs (A) and (B), the person or entity shall—

''(I) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during a period beginning on the date of the recruiting or referral of the individual, or, in the case of the hiring of an individual, the date on which the verification is completed, and ending—

''(aa) in the case of the recruiting or referral of an individual, 3 years after the date of the recruiting or referral; and

''(bb) in the case of the hiring of an individual, the later of 3 years after the date the verification is completed or one year after the date the individual's employment is terminated; and

''(II) during the verification period (as defined in subparagraph (E)), make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of an individual.

''(ii) CONFIRMATION.—

''(I) CONFIRMATION RECEIVED.—If the person or other entity receives an appropriate confirmation of an individual's identity and work eligibility under the verification system within the time period specified, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a final confirmation of such identity and work eligibility of the individual.

''(II) TENTATIVE NONCONFIRMATION RECEIVED.—If the person or other entity receives a tentative nonconfirmation of an individual's identity or work eligibility under the verification system within the time period specified, the person or entity shall so inform the individual for whom the verification is sought. If the individual does not contest the nonconfirmation within the time period specified, the nonconfirmation shall be considered final. The person or entity shall then record on the form an appropriate code which has been provided under the system to indicate a final nonconfirmation. If the individual does contest the nonconfirmation, the individual shall utilize the process for secondary verification provided under subsection (d). The nonconfirmation will remain tentative until a final confirmation or nonconfirmation is provided by the verification system within the time period specified. In no case shall an employer terminate employment of an individual because of a failure of the individual to have identity and work eligibility confirmed under this section until a nonconfirmation becomes final. Nothing in this clause shall apply to a termination of employment for any reason other than because of such a failure. In no case shall an employer rescind the offer of employment to an individual because of a failure of the individual to have identity and work eligibility confirmed under this subsection until a nonconfirmation becomes final. Nothing in this subclause shall apply to a rescission of the offer of employment for any reason other than because of such a failure.

''(III) FINAL CONFIRMATION OR NONCONFIRMATION RECEIVED.—If a final confirmation or nonconfirmation is provided by the verification system regarding an individual, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a confirmation or nonconfirmation of identity and work eligibility of the individual.

''(IV) EXTENSION OF TIME.—If the person or other entity in good faith attempts to make an inquiry during the time period specified and the verification system has registered that not all inquiries were received during such time, the person or entity may make an inquiry in the first subsequent working day in which the verification system registers that it has received all inquiries. If the verification system cannot receive inquiries at all times during a day, the person or entity merely has to assert that the entity attempted to make the inquiry on that day for the previous sentence to apply to such an inquiry, and does not have to provide any additional proof concerning such inquiry.

''(V) CONSEQUENCES OF NONCONFIRMATION.—

''(aa) TERMINATION OR NOTIFICATION OF CONTINUED EMPLOYMENT.—If the person or other entity has received a final nonconfirmation regarding an individual, the person or entity may terminate employment of the individual (or decline to recruit or refer the individual). If the person or entity does not terminate employment of the individual or proceeds to recruit or refer the individual, the person or entity shall notify the Secretary of Homeland Security of such fact through the verification system or in such other manner as the Secretary may specify.

''(bb) FAILURE TO NOTIFY.—If the person or entity fails to provide notice with respect to an individual as required under item (aa), the failure is deemed to constitute a violation of subsection (a)(1)(A) with respect to that individual.

''(VI) CONTINUED EMPLOYMENT AFTER FINAL NONCONFIRMATION.—If the person or other entity continues to employ (or to recruit or refer) an individual after receiving final nonconfirmation, a rebuttable presumption is created that the person or entity has violated subsection (a)(1)(A).

''(D) EFFECTIVE DATES OF NEW PROCEDURES.—

''(i) HIRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity hiring an individual for employment in the United States as follows:

''(I) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of title VIII of division B of the Secure the Border

Act of 2023, on the date that is 6 months after the date of the enactment of title.

''(II) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, on the date that is 12 months after the date of the enactment of such title.

''(III) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, on the date that is 18 months after the date of the enactment of such title.

''(IV) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, on the date that is 24 months after the date of the enactment of such title.

''(ii) RECRUITING AND REFERRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity recruiting or referring an individual for employment in the United States on the date that is 12 months after the date of the enactment of title VIII of division B of the Secure the Border Act of 2023.

''(iii) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, this paragraph shall not apply with respect to the verification of the employee until the date that is 36 months after the date of the enactment of title VIII of division B of the Secure the Border Act of 2023. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this clause shall not be counted for purposes of clause (i).

''(iv) EXTENSIONS.—

''(I) ON REQUEST.—Upon request by an employer having 50 or fewer employees, the Secretary shall allow a one-time 6-month extension of the effective date set out in this subparagraph applicable to such employer. Such request shall be made to the Secretary and shall be made prior to such effective date.

''(II) FOLLOWING REPORT.—If the study under section 814 of title VIII of division B of the Secure the Border Act of 2023 has been submitted in accordance with such section, the Secretary of Homeland Security may extend the effective date set out in clause (iii) on a one-time basis for 12 months.

''(v) TRANSITION RULE.—Subject to paragraph (4), the following shall apply to a person or other entity hiring, recruiting, or referring an individual for employment in the United States until the effective date or dates applicable under clauses (i) through (iii):

''(I) This subsection, as in effect before the enactment of title VIII of division B of the Secure the Border Act of 2023.

''(II) Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section 807(c) of title VIII of division B of the Secure the Border Act of 2023.

''(III) Any other provision of Federal law requiring the person or entity to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section 807(c) of title VIII of division B of the Secure the Border Act of 2023, including Executive Order 13465 (8 U.S.C. 1324a note; relating to Government procurement).

''(E) VERIFICATION PERIOD DEFINED.—

''(i) IN GENERAL.—For purposes of this paragraph:

''(I) In the case of recruitment or referral, the term 'verification period' means the period ending on the date recruiting or referring commences.

''(II) In the case of hiring, the term 'verification period' means the period beginning on the date on which an offer of employment is extended and ending on the date that is three business days after the date of hire, except as provided in clause (iii). The offer of employment may be conditioned in accordance with clause (ii).

''(ii) JOB OFFER MAY BE CONDITIONAL.—A person or other entity may offer a prospective employee an employment position that is conditioned on final verification of the identity and employment eligibility of the employee using the procedures established under this paragraph.

''(iii) SPECIAL RULE.—Notwithstanding clause (i)(II), in the case of an alien who is authorized for employment and who provides evidence from the Social Security Administration that the alien has applied for a social security account number, the verification period ends three business days after the alien receives the social security account number.

''(2) REVERIFICATION FOR INDIVIDUALS WITH LIMITED WORK AUTHORIZATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a person or entity shall make an inquiry, as provided in subsection (d), using the verification system to seek reverification of the identity and employment eligibility of all individuals with a limited period of work authorization employed by the person or entity during the three business days after the date on which the employee's work authorization expires as follows:

''(i) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, beginning on the date that is 6 months after the date of the enactment of such title.

''(ii) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, beginning on the date that is 12 months after the date of the enactment of such title.

''(iii) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, beginning on the date that is 18 months after the date of the enactment of such title.

''(iv) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, beginning on the date that is 24 months after the date of the enactment of such title.

''(B) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, or an employee recruited or referred by a farm labor contractor (as defined in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801)), subparagraph (A) shall not apply with respect to the reverification of the employee until the date that is 36 months after the date of the enactment of title VIII of division B of the Secure the Border Act of 2023. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing, or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this subparagraph shall not be counted for purposes of subparagraph (A).

''(C) REVERIFICATION.—Paragraph (1)(C)(ii) shall apply to reverifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the reverification commences and ending on the date that is the later of 3 years after the date of such reverification or 1 year after the date the individual's employment is terminated.

''(3) PREVIOUSLY HIRED INDIVIDUALS.—

''(A) ON A MANDATORY BASIS FOR CERTAIN EMPLOYEES.—

''(i) IN GENERAL.—Not later than the date that is 6 months after the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, an employer shall make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual described in clause (ii) employed by the employer whose employment eligibility has not been verified under the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

''(ii) INDIVIDUALS DESCRIBED.—An individual described in this clause is any of the following:

''(I) An employee of any unit of a Federal, State, or local government.

''(II) An employee who requires a Federal security clearance working in a Federal, State, or local government building, a military base, a nuclear energy site, a weapons site, or an airport or other facility that requires workers to carry a Transportation Worker Identification Credential (TWIC).

''(III) An employee assigned to perform work in the United States under a Federal contract, except that this subclause—

''(aa) is not applicable to individuals who have a clearance under Homeland Security Presidential Directive 12 (HSPD 12 clearance), are administrative or overhead personnel, or are working solely on contracts that provide Commercial Off The Shelf goods

or services as set forth by the Federal Acquisition Regulatory Council, unless they are subject to verification under subclause (II); and

''(bb) only applies to contracts over the simple acquisition threshold as defined in section 2.101 of title 48, Code of Federal Regulations.

''(B) ON A MANDATORY BASIS FOR MULTIPLE USERS OF SAME SOCIAL SECURITY ACCOUNT NUMBER.—In the case of an employer who is required by this subsection to use the verification system described in subsection (d), or has elected voluntarily to use such system, the employer shall make inquiries to the system in accordance with the following:

''(i) The Commissioner of Social Security shall notify annually employees (at the employee address listed on the Wage and Tax Statement) who submit a social security account number to which more than one employer reports income and for which there is a pattern of unusual multiple use. The notification letter shall identify the number of employers to which income is being reported as well as sufficient information notifying the employee of the process to contact the Social Security Administration Fraud Hotline if the employee believes the employee's identity may have been stolen. The notice shall not share information protected as private, in order to avoid any recipient of the notice from being in the position to further commit or begin committing identity theft.

''(ii) If the person to whom the social security account number was issued by the Social Security Administration has been identified and confirmed by the Commissioner, and indicates that the social security account number was used without their knowledge, the Secretary and the Commissioner shall lock the social security account number for employment eligibility verification purposes and shall notify the employers of the individuals who wrongfully submitted the social security account number that the employee may not be work eligible.

''(iii) Each employer receiving such notification of an incorrect social security account number under clause (ii) shall use the verification system described in subsection (d) to check the work eligibility status of the applicable employee within 10 business days of receipt of the notification.

''(C) ON A VOLUNTARY BASIS.—Subject to paragraph (2), and subparagraphs (A) through (C) of this paragraph, beginning on the date that is 30 days after the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, an employer may make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual employed by the employer. If an employer chooses voluntarily to seek verification of any individual employed by the employer, the employer shall seek verification of all individuals employed at the same geographic location or, at the option of the employer, all individuals employed within the same job category, as the employee with respect to whom the employer seeks voluntarily to use the verification system. An employer's decision about whether or not voluntarily to seek verification of its current workforce under this subparagraph may not be considered by any government agency in any proceeding, investigation, or review provided for in this Act.

''(D) VERIFICATION.—Paragraph (1)(C)(ii) shall apply to verifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the verification commences and ending on the date that is the later of 3 years after the date of such verification or 1 year after the date the individual's employment is terminated.

''(4) EARLY COMPLIANCE.—

''(A) FORMER E-VERIFY REQUIRED USERS, INCLUDING FEDERAL CONTRACTORS.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, the Secretary is authorized to commence requiring employers required to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), including employers required to participate in such program by reason of Federal acquisition laws (and regulations promulgated under those laws, including the Federal Acquisition Regulation), to commence compliance with the requirements of this subsection (and any additional requirements of such Federal acquisition laws and regulation) in lieu of any requirement to participate in the E-Verify Program.

''(B) FORMER E-VERIFY VOLUNTARY USERS AND OTHERS DESIRING EARLY COMPLIANCE.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, the Secretary shall provide for the voluntary compliance with the requirements of this subsection by employers voluntarily electing to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) before such date, as well as by other employers seeking voluntary early compliance.

''(5) COPYING OF DOCUMENTATION PERMITTED.—Notwithstanding any other provision of law, the person or entity may copy a document presented by an individual pursuant to this subsection and may retain the copy, but only (except as otherwise permitted under law) for the purpose of complying with the requirements of this subsection.

''(6) LIMITATION ON USE OF FORMS.—A form designated or established by the Secretary of Homeland Security under this subsection and any information contained in or appended to such form, may not be used for purposes other than for enforcement of this Act and any other provision of Federal criminal law.

''(7) GOOD FAITH COMPLIANCE.—

''(A) IN GENERAL.—Except as otherwise provided in this subsection, a person or entity is considered to have complied with a requirement of this subsection notwithstanding a technical or procedural failure to meet such requirement if there was a good faith attempt to comply with the requirement.

''(B) EXCEPTION IF FAILURE TO CORRECT AFTER NOTICE.—Subparagraph (A) shall not apply if—

''(i) the failure is not de minimus;

''(ii) the Secretary of Homeland Security has explained to the person or entity the basis for the failure and why it is not de minimus;

''(iii) the person or entity has been provided a period of not less than 30 calendar days (beginning after the date of the explanation) within which to correct the failure; and

''(iv) the person or entity has not corrected the failure voluntarily within such period.

''(C) EXCEPTION FOR PATTERN OR PRACTICE VIOLATORS.—Subparagraph (A) shall not apply to a person or entity that has engaged or is engaging in a pattern or practice of violations of subsection (a)(1)(A) or (a)(2).

''(8) SINGLE EXTENSION OF DEADLINES UPON CERTIFICATION.—In a case in which the Secretary of Homeland Security has certified to the Congress that the employment eligibility verification system required under subsection (d) will not be fully operational by the date that is 6 months after the date of the enactment of title VIII of division B of the Secure the Border Act of 2023, each deadline established under this section for an employer to make an inquiry using such system shall be extended by 6 months. No other extension of such a deadline shall be made except as authorized under paragraph (1)(D)(iv).''.

(b) DATE OF HIRE.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)) is amended by adding at the end the following:

''(4) DEFINITION OF DATE OF HIRE.—As used in this section, the term 'date of hire' means the date of actual commencement of employment for wages or other remuneration, unless otherwise specified.''.

SEC. 802. EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.

Section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) is amended to read as follows:

''(d) EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.—

''(1) IN GENERAL.—Patterned on the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Secretary of Homeland Security shall establish and administer a verification system through which the Secretary (or a designee of the Secretary, which may be a nongovernmental entity)—

''(A) responds to inquiries made by persons at any time through a toll-free electronic media concerning an individual's identity and whether the individual is authorized to be employed; and

''(B) maintains records of the inquiries that were made, of verifications provided (or not provided), and of the codes provided to inquirers as evidence of their compliance with their obligations under this section.

''(2) INITIAL RESPONSE.—The verification system shall provide confirmation or a tentative nonconfirmation of an individual's identity and employment eligibility within 3 working days of the initial inquiry. If providing confirmation or tentative nonconfirmation, the verification system shall provide an appropriate code indicating such confirmation or such nonconfirmation.

''(3) SECONDARY CONFIRMATION PROCESS IN CASE OF TENTATIVE NONCONFIRMATION.—In cases of tentative nonconfirmation, the Secretary shall specify, in consultation with the Commissioner of Social Security, an available secondary verification process to confirm the validity of information provided and to provide a final confirmation or nonconfirmation not later than 10 working days after the date on which the notice of the tentative nonconfirmation is received by the employee. The Secretary, in consultation with the Commissioner, may extend this deadline once on a case-by-case basis for a period of 10 working days, and if the time is extended, shall document such extension within the verification system. The Secretary, in consultation with the Commissioner, shall notify the employee and employer of such extension. The Secretary, in consultation with the Commissioner, shall create a standard process of such extension

and notification and shall make a description of such process available to the public. When final confirmation or nonconfirmation is provided, the verification system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(4) DESIGN AND OPERATION OF SYSTEM.—The verification system shall be designed and operated—

''(A) to maximize its reliability and ease of use by persons and other entities consistent with insulating and protecting the privacy and security of the underlying information;

''(B) to respond to all inquiries made by such persons and entities on whether individuals are authorized to be employed and to register all times when such inquiries are not received;

''(C) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information;

''(D) to have reasonable safeguards against the system's resulting in unlawful discriminatory practices based on national origin or citizenship status, including—

''(i) the selective or unauthorized use of the system to verify eligibility; or

''(ii) the exclusion of certain individuals from consideration for employment as a result of a perceived likelihood that additional verification will be required, beyond what is required for most job applicants;

''(E) to maximize the prevention of identity theft use in the system; and

''(F) to limit the subjects of verification to the following individuals:

''(i) Individuals hired, referred, or recruited, in accordance with paragraph (1) or (4) of subsection (b).

''(ii) Employees and prospective employees, in accordance with paragraph (1), (2), (3), or (4) of subsection (b).

''(iii) Individuals seeking to confirm their own employment eligibility on a voluntary basis.

''(5) RESPONSIBILITIES OF COMMISSIONER OF SOCIAL SECURITY.—As part of the verification system, the Commissioner of Social Security, in consultation with the Secretary of Homeland Security (and any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and social security account number provided in an inquiry against such information maintained by the Commissioner in order to validate (or not validate) the information provided regarding an individual whose identity and employment eligibility must be confirmed, the correspondence of the name and number, and whether the individual has presented a social security account number that is not valid for employment. The Commissioner shall not disclose or release social security information (other than such confirmation or nonconfirmation) under the verification system except as provided for in this section or section 205(c)(2)(I) of the Social Security Act.

''(6) RESPONSIBILITIES OF SECRETARY OF HOMELAND SECURITY.—As part of the verification system, the Secretary of Homeland Security (in consultation with any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and alien identification or authorization number (or any other information as determined relevant by the Secretary) which are provided in an inquiry against such information maintained or accessed by the Secretary in order to validate (or not validate) the information provided, the correspondence of the name and number, whether the alien is authorized to be employed in the United States, or to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States.

''(7) UPDATING INFORMATION.—The Commissioner of Social Security and the Secretary of Homeland Security shall update their information in a manner that promotes the maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in paragraph (3).

''(8) LIMITATION ON USE OF THE VERIFICATION SYSTEM AND ANY RELATED SYSTEMS.—

''(A) NO NATIONAL IDENTIFICATION CARD.—Nothing in this section shall be construed to authorize, directly or indirectly, the issuance or use of national identification cards or the establishment of a national identification card.

''(B) CRITICAL INFRASTRUCTURE.—The Secretary may authorize or direct any person or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to use the verification system to the extent the Secretary determines that such use will assist in the protection of the critical infrastructure.

''(9) REMEDIES.—If an individual alleges that the individual would not have been dismissed from a job or would have been hired for a job but for an error of the verification mechanism, the individual may seek compensation only through the mechanism of the Federal Tort Claims Act, and injunctive relief to correct such error. No class action may be brought under this paragraph.''.

SEC. 803. RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.

(a) ADDITIONAL CHANGES TO RULES FOR RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.—Section 274A(a) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)) is amended—

(1) in paragraph (1)(A), by striking ''for a fee'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) to hire, continue to employ, or to recruit or refer for employment in the United States an individual without complying with the requirements of subsection (b).''; and

(3) in paragraph (2), by striking ''after hiring an alien for employment in accordance with paragraph (1),'' and inserting ''after complying with paragraph (1),''.

(b) DEFINITION.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)), as amended by section 801(b) of this title, is further amended by adding at the end the following:

''(5) DEFINITION OF RECRUIT OR REFER.—As used in this section, the term 'refer' means the act of sending or directing a person who is in the United States or transmitting documentation or information to another, directly or indirectly, with the intent of obtaining employment in the United States for such person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in the definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit, that refer, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party. As used in this section, the term 'recruit' means the act of soliciting a person who is in the United States, directly or indirectly, and referring the person to another with the intent of obtaining employment for that person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in this definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit that recruit, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act, except that the amendments made by subsection (a) shall take effect 6 months after the date of the enactment of this Act insofar as such amendments relate to continuation of employment.

SEC. 804. GOOD FAITH DEFENSE.

Section 274A(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)(3)) is amended to read as follows:

''(3) GOOD FAITH DEFENSE.—

''(A) DEFENSE.—An employer (or person or entity that hires, employs, recruits, or refers (as defined in subsection (h)(5)), or is otherwise obligated to comply with this section) who establishes that it has complied in good faith with the requirements of subsection (b)—

''(i) shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good-faith reliance on information provided through the system established under subsection (d); and

''(ii) has established compliance with its obligations under subparagraphs (A) and (B) of paragraph (1) and subsection (b) absent a showing by the Secretary of Homeland Security, by clear and convincing evidence, that the employer had knowledge that an employee is an unauthorized alien.

''(B) MITIGATION ELEMENT.—For purposes of subparagraph (A)(i), if an employer proves by a preponderance of the evidence that the employer uses a reasonable, secure, and established technology to authenticate the identity of the new employee, that fact shall be taken into account for purposes of determining good faith use of the system established under subsection (d).

''(C) FAILURE TO SEEK AND OBTAIN VERIFICATION.—Subject to the effective dates and other deadlines applicable under subsection (b), in the case of a person or entity in the United States that hires, or continues to employ, an individual, or recruits or refers an individual for employment, the following requirements apply:

''(i) FAILURE TO SEEK VERIFICATION.—

''(I) IN GENERAL.—If the person or entity has not made an inquiry, under the mechanism established under subsection (d) and in accordance with the timeframes established under subsection (b), seeking verification of the identity and work eligibility of the individual, the defense under subparagraph (A) shall not be considered to apply with respect to any employment, except as provided in subclause (II).

''(II) SPECIAL RULE FOR FAILURE OF VERIFICATION MECHANISM.—If such a person or entity in good faith attempts to make an inquiry in order to qualify for the defense under subparagraph (A) and the verification

mechanism has registered that not all inquiries were responded to during the relevant time, the person or entity can make an inquiry until the end of the first subsequent working day in which the verification mechanism registers no nonresponses and qualify for such defense.

''(ii) FAILURE TO OBTAIN VERIFICATION.—If the person or entity has made the inquiry described in clause (i)(I) but has not received an appropriate verification of such identity and work eligibility under such mechanism within the time period specified under subsection (d)(2) after the time the verification inquiry was received, the defense under subparagraph (A) shall not be considered to apply with respect to any employment after the end of such time period.''.

SEC. 805. PREEMPTION AND STATES' RIGHTS.

Section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)) is amended to read as follows:

''(2) PREEMPTION.—

''(A) SINGLE, NATIONAL POLICY.—The provisions of this section preempt any State or local law, ordinance, policy, or rule, including any criminal or civil fine or penalty structure, insofar as they may now or hereafter relate to the hiring, continued employment, or status verification for employment eligibility purposes, of unauthorized aliens.

''(B) STATE ENFORCEMENT OF FEDERAL LAW.—

''(i) BUSINESS LICENSING.—A State, locality, municipality, or political subdivision may exercise its authority over business licensing and similar laws as a penalty for failure to use the verification system described in subsection (d) to verify employment eligibility when and as required under subsection (b).

''(ii) GENERAL RULES.—A State, at its own cost, may enforce the provisions of this section, but only insofar as such State follows the Federal regulations implementing this section, applies the Federal penalty structure set out in this section, and complies with all Federal rules and guidance concerning implementation of this section. Such State may collect any fines assessed under this section. An employer may not be subject to enforcement, including audit and investigation, by both a Federal agency and a State for the same violation under this section. Whichever entity, the Federal agency or the State, is first to initiate the enforcement action, has the right of first refusal to proceed with the enforcement action. The Secretary must provide copies of all guidance, training, and field instructions provided to Federal officials implementing the provisions of this section to each State.''.

SEC. 806. REPEAL.

(a) IN GENERAL.—Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is repealed.

(b) REFERENCES.—Any reference in any Federal law, Executive order, rule, regulation, or delegation of authority, or any document of, or pertaining to, the Department of Homeland Security, Department of Justice, or the Social Security Administration, to the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is deemed to refer to the employment eligibility confirmation system established under section 274A(d) of the Immigration and Nationality Act, as amended by section 802 of this title.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is 30 months after the date of the enactment of this Act.

(d) CLERICAL AMENDMENT.—The table of sections, in section 1(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, is amended by striking the items relating to subtitle A of title IV.

SEC. 807. PENALTIES.

Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in subsection (e)(1)—

(A) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(B) in subparagraph (D), by striking ''Service'' and inserting ''Department of Homeland Security'';

(2) in subsection (e)(4)—

(A) in subparagraph (A), in the matter before clause (i), by inserting '', subject to paragraph (10),'' after ''in an amount'';

(B) in subparagraph (A)(i), by striking ''not less than $250 and not more than $2,000'' and inserting ''not less than $2,500 and not more than $5,000'';

(C) in subparagraph (A)(ii), by striking ''not less than $2,000 and not more than $5,000'' and inserting ''not less than $5,000 and not more than $10,000'';

(D) in subparagraph (A)(iii), by striking ''not less than $3,000 and not more than $10,000'' and inserting ''not less than $10,000 and not more than $25,000''; and

(E) by moving the margin of the continuation text following subparagraph (B) two ems to the left and by amending subparagraph (B) to read as follows:

''(B) may require the person or entity to take such other remedial action as is appropriate.'';

(3) in subsection (e)(5)—

(A) in the paragraph heading, strike ''PAPERWORK'';

(B) by inserting '', subject to paragraphs (10) through (12),'' after ''in an amount'';

(C) by striking ''$100'' and inserting ''$1,000'';

(D) by striking ''$1,000'' and inserting ''$25,000''; and

(E) by adding at the end the following: ''Failure by a person or entity to utilize the employment eligibility verification system as required by law, or providing information to the system that the person or entity knows or reasonably believes to be false, shall be treated as a violation of subsection (a)(1)(A).'';

(4) by adding at the end of subsection (e) the following:

''(10) EXEMPTION FROM PENALTY FOR GOOD FAITH VIOLATION.—In the case of imposition of a civil penalty under paragraph (4)(A) with respect to a violation of subsection (a)(1)(A) or (a)(2) for hiring or continuation of employment or recruitment or referral by person or entity and in the case of imposition of a civil penalty under paragraph (5) for a violation of subsection (a)(1)(B) for hiring or recruitment or referral by a person or entity, the penalty otherwise imposed may be waived or reduced if the violator establishes that the violator acted in good faith.

''(11) MITIGATION ELEMENT.—For purposes of paragraph (4), the size of the business shall be taken into account when assessing the level of civil money penalty.

''(12) AUTHORITY TO DEBAR EMPLOYERS FOR CERTAIN VIOLATIONS.—

''(A) IN GENERAL.—If a person or entity is determined by the Secretary of Homeland Security to be a repeat violator of paragraph (1)(A) or (2) of subsection (a), or is convicted of a crime under this section, such person or entity may be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the debarment standards and pursuant to the debarment procedures set forth in the Federal Acquisition Regulation.

''(B) DOES NOT HAVE CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such a person or entity does not hold a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall refer the matter to the Administrator of General Services to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(C) HAS CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such person or entity holds a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall advise all agencies or departments holding a contract, grant, or cooperative agreement with the person or entity of the Government's interest in having the person or entity considered for debarment, and after soliciting and considering the views of all such agencies and departments, the Secretary or Attorney General may refer the matter to any appropriate lead agency to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(D) REVIEW.—Any decision to debar a person or entity in accordance with this paragraph shall be reviewable pursuant to part 9.4 of the Federal Acquisition Regulation.

''(13) OFFICE FOR STATE AND LOCAL GOVERNMENT COMPLAINTS.—The Secretary of Homeland Security shall establish an office—

''(A) to which State and local government agencies may submit information indicating potential violations of subsection (a), (b), or (g)(1) that were generated in the normal course of law enforcement or the normal course of other official activities in the State or locality;

''(B) that is required to indicate to the complaining State or local agency within five business days of the filing of such a complaint by identifying whether the Secretary will further investigate the information provided;

''(C) that is required to investigate those complaints filed by State or local government agencies that, on their face, have a substantial probability of validity;

''(D) that is required to notify the complaining State or local agency of the results of any such investigation conducted; and

''(E) that is required to report to the Congress annually the number of complaints received under this paragraph, the States and localities that filed such complaints, and the resolution of the complaints investigated by the Secretary.''; and

(5) by amending paragraph (1) of subsection (f) to read as follows:

''(1) CRIMINAL PENALTY.—Any person or entity which engages in a pattern or practice of violations of subsection (a) (1) or (2) shall be fined not more than $5,000 for each unauthorized alien with respect to which such a violation occurs, imprisoned for not more than 18 months, or both, notwithstanding the provisions of any other Federal law relating to fine levels.''.

SEC. 808. FRAUD AND MISUSE OF DOCUMENTS.

Section 1546(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''identification document,'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''; and

(2) in paragraph (2), by striking ''identification document'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''.

SEC. 809. PROTECTION OF SOCIAL SECURITY ADMINISTRATION PROGRAMS.

(a) FUNDING UNDER AGREEMENT.—Effective for fiscal years beginning on or after October 1, 2023, the Commissioner of Social Security and the Secretary of Homeland Security shall enter into and maintain an agreement which shall—

(1) provide funds to the Commissioner for the full costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 802 of this title, including—

(A) acquiring, installing, and maintaining technological equipment and systems necessary for the fulfillment of the responsibilities of the Commissioner under such section 274A(d), but only that portion of such costs that are attributable exclusively to such responsibilities; and

(B) responding to individuals who contest a tentative nonconfirmation provided by the employment eligibility verification system established under such section;

(2) provide such funds annually in advance of the applicable quarter based on estimating methodology agreed to by the Commissioner and the Secretary (except in such instances where the delayed enactment of an annual appropriation may preclude such quarterly payments); and

(3) require an annual accounting and reconciliation of the actual costs incurred and the funds provided under the agreement, which shall be reviewed by the Inspectors General of the Social Security Administration and the Department of Homeland Security.

(b) CONTINUATION OF EMPLOYMENT VERIFICATION IN ABSENCE OF TIMELY AGREEMENT.—In any case in which the agreement required under subsection (a) for any fiscal year beginning on or after October 1, 2023, has not been reached as of October 1 of such fiscal year, the latest agreement between the Commissioner and the Secretary of Homeland Security providing for funding to cover the costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) shall be deemed in effect on an interim basis for such fiscal year until such time as an agreement required under subsection (a) is subsequently reached, except that the terms of such interim agreement shall be modified by the Director of the Office of Management and Budget to adjust for inflation and any increase or decrease in the volume of requests under the employment eligibility verification system. In any case in which an interim agreement applies for any fiscal year under this subsection, the Commissioner and the Secretary shall, not later than October 1 of such fiscal year, notify the Committee on Ways and Means, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives and the Committee on Finance, the Committee on the Judiciary, and the Committee on Appropriations of the Senate of the failure to reach the agreement required under subsection (a) for such fiscal year. Until such time as the agreement required under subsection (a) has been reached for such fiscal year, the Commissioner and the Secretary shall, not later than the end of each 90-day period after October 1 of such fiscal year, notify such Committees of the status of negotiations between the Commissioner and the Secretary in order to reach such an agreement.

SEC. 810. FRAUD PREVENTION.

(a) BLOCKING MISUSED SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program in which social security account numbers that have been identified to be subject to unusual multiple use in the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 802 of this title, or that are otherwise suspected or determined to have been compromised by identity fraud or other misuse, shall be blocked from use for such system purposes unless the individual using such number is able to establish, through secure and fair additional security procedures, that the individual is the legitimate holder of the number.

(b) ALLOWING SUSPENSION OF USE OF CERTAIN SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which victims of identity fraud and other individuals may suspend or limit the use of their social security account number or other identifying information for purposes of the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 802 of this title. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

(c) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the employment eligibility verification system established under 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section 802 of this title. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

SEC. 811. USE OF EMPLOYMENT ELIGIBILITY VERIFICATION PHOTO TOOL.

An employer who uses the photo matching tool used as part of the E-Verify System shall match the photo tool photograph to both the photograph on the identity or employment eligibility document provided by the employee and to the face of the employee submitting the document for employment verification purposes.

SEC. 812. IDENTITY AUTHENTICATION EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAMS.

Not later than 24 months after the date of the enactment of this Act, the Secretary of Homeland Security, after consultation with the Commissioner of Social Security and the Director of the National Institute of Standards and Technology, shall establish by regulation not less than 2 Identity Authentication Employment Eligibility Verification pilot programs, each using a separate and distinct technology (the ''Authentication Pilots''). The purpose of the Authentication Pilots shall be to provide for identity authentication and employment eligibility verification with respect to enrolled new employees which shall be available to any employer that elects to participate in either of the Authentication Pilots. Any participating employer may cancel the employer's participation in the Authentication Pilot after one year after electing to participate without prejudice to future participation. The Secretary shall report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate the Secretary's findings on the Authentication Pilots, including the authentication technologies chosen, not later than 12 months after commencement of the Authentication Pilots.

SEC. 813. INSPECTOR GENERAL AUDITS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall complete audits of the following categories in order to uncover evidence of individuals who are not authorized to work in the United States:

(1) Workers who dispute wages reported on their social security account number when they believe someone else has used such number and name to report wages.

(2) Children's social security account numbers used for work purposes.

(3) Employers whose workers present significant numbers of mismatched social security account numbers or names for wage reporting.

(b) SUBMISSION.—The Inspector General of the Social Security Administration shall submit the audits completed under subsection (a) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate for review of the evidence of individuals who are not authorized to work in the United States. The Chairmen of those Committees shall then determine information to be shared with the Secretary of Homeland Security so that such Secretary can investigate the unauthorized employment demonstrated by such evidence.

SEC. 814. AGRICULTURE WORKFORCE STUDY.

Not later than 36 months after the date of the enactment of this Act, the Secretary of the Department of Homeland Security, in consultation with the Secretary of the Department of Agriculture, shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, a report that includes the following:

(1) The number of individuals in the agricultural workforce.

(2) The number of United States citizens in the agricultural workforce.

(3) The number of aliens in the agricultural workforce who are authorized to work in the United States.

(4) The number of aliens in the agricultural workforce who are not authorized to work in the United States.

(5) Wage growth in each of the previous ten years, disaggregated by agricultural sector.

(6) The percentage of total agricultural industry costs represented by agricultural labor during each of the last ten years.

(7) The percentage of agricultural costs invested in mechanization during each of the last ten years.

(8) Recommendations, other than a path to legal status for aliens not authorized to work in the United States, for ensuring United States agricultural employers have a workforce sufficient to cover industry needs, including recommendations to—

(A) increase investments in mechanization;

(B) increase the domestic workforce; and

(C) reform the H–2A program.

SEC. 815. SENSE OF CONGRESS ON FURTHER IMPLEMENTATION.

It is the sense of Congress that in implementing the E-Verify Program, the Secretary of Homeland Security shall ensure any adverse impact on the Nation's agricultural workforce, operations, and food security are considered and addressed.

SEC. 816. REPEALING REGULATIONS.

The rules relating to ''Temporary Agricultural Employment of H–2A Nonimmigrants

in the United States'' (87 Fed. Reg. 61660 (Oct. 12, 2022)) and to ''Adverse Effect Wage Rate Methodology for the Temporary Employment of H–2A Nonimmigrants in Non-Range Occupations in the United States'' (88 Fed. Reg. 12760 (Feb. 28, 2023)) shall have no force or effect, may not be reissued in substantially the same form, and any new rules that are substantially the same as such rules may not be issued.

SA 1299. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2968, to reauthorize the National Flood Insurance Program; which was referred to the Committee on Banking, Housing, and Urban Affairs; as follows:

At the end, add the following:

SEC. 3. RESTRICTION ON FLOOD INSURANCE COVERAGE.

(a) DEFINITIONS.—In this section:

(1) NATIONAL FLOOD INSURANCE PROGRAM.—The term ''National Flood Insurance Program'' means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(2) POLICYHOLDER.—The term ''policyholder'' means the holder of a policy under the National Flood Insurance Program.

(3) PRIMARY RESIDENCE.—

(A) IN GENERAL.—The term ''primary residence'' means a single-family dwelling, condominium unit, apartment unit, or unit within a cooperative building in which a policyholder, or the spouse of a policyholder, lives for—

(i) more than 50 percent of the 365 days immediately following the effective date of the policy; or

(ii) not more than 50 percent of the 365 days immediately following the effective date of the policy if the policyholder—

(I) has only 1 residence; and

(II) does not lease the residence described in subclause (I) to another party or use the residence for rental or income property at any time during the policy term with respect to the residence.

(B) RULE OF CONSTRUCTION.—For the purposes of subparagraph (A), a policyholder and the spouse of a policyholder may not collectively have more than 1 primary residence.

(4) SINGLE-FAMILY DWELLING.—The term ''single-family dwelling'' means—

(A) a residential single-family building in which the total floor area devoted to non-residential uses is less than 50 percent of the total floor area of the building; or

(B) a single-family residential unit within a 2-to-4-family building, other residential building, business, or non-residential building in which commercial uses are less than 50 percent of the total floor area of the unit.

(b) PROHIBITION.—Notwithstanding any other provision of law, the National Flood Insurance Program may only cover—

(1) in the case of a residential property, the primary residence of a policyholder, provided that the primary residence is not appraised at more than $250,000; and

(2) a nonresidential property of a policyholder, provided that the property is not appraised at more than $500,000.

(c) APPLICATION.—The prohibition under subsection (b) shall apply to any property covered under the National Flood Insurance Program before, on, or after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

Mr. REED. Madam President, I have five requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, September 28, 2023, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, September 28, 2023, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, September 28, 2023, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, September 28, 2023, at 10 a.m., to conduct an executive business meeting.

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, September 28, 2023, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. RICKETTS. Madam President, I ask unanimous consent that the following interns in my office be granted floor privileges until October 31, 2023: Stephen Trainer, Kayla Fink, Sarah Gregory, and Johnathan Smith.

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

ORDERS FOR FRIDAY, SEPTEMBER 29, 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Friday, September 29; that following the prayer and pledge, the time for the two leaders be reserved for their use later in the day and morning business be closed; that upon conclusion of morning business, the Senate resume consideration of H.R. 3935; further, that at 12 noon, the Senate execute the order of September 27, 2023, relating to the Gee and McGrath nominations, and that all debate time be considered expired and the Senate vote on confirmation of the nominations in the order listed.

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

RECESS UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand in recess under the previous order.

There being no objection, the Senate, at 7 p.m., adjourned until Friday, September 29, 2023, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

APRILLE JOY ERICSSON, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION)

DEPARTMENT OF STATE

JACOB J. LEW, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF ISRAEL.

JOHN N. NKENGASONG, OF GEORGIA, TO BE AMBASSADOR-AT-LARGE FOR GLOBAL HEALTH SECURITY AND DIPLOMACY. (NEW POSITION)

CONFIRMATIONS

Executive nominations confirmed by the Senate September 28, 2023:

POSTAL REGULATORY COMMISSION

ROBERT G. TAUB, OF NEW YORK, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2028.

THOMAS G. DAY, OF VIRGINIA, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2028.