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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Pastor Laura Viau of First & Central Presbyterian Church of Wilmington, DE.

The guest Chaplain offered the following prayer:

Let us pray.

Holy One, Maker of all places and things, You know more than any of us that we humans are but one part of this complex, interconnected creation, and our lives are but a moment in the vast eternity You govern.

As these leaders gather to serve the people today, grant them resolve to lead with humility, courage to speak for the voiceless, and wisdom to see beyond tomorrow.

May justice roll and love abide. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 10, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant executive clerk read the nomination of Charles J. Willoughby, Jr., of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

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

WELCOMING THE GUEST CHAPLAIN

Mr. COONS. Mr. President, I rise to say a few words about the tradition of spiritual leadership of the Chaplains of the Senate, a decades-old—a centuries-old, actually—tradition of this body, rooted in the fact that those who were the Framers of our Constitution and the Founders of our Nation understood that, although we are a nation committed to the separation of church and State, we are also a nation that is guided—that is guided by spiritual force, by deep beliefs, by diversity of religions, but also by a profound humility on the part of those of us who serve.

Our Chaplain, RADM Barry Black, has served for many, many years, and I have had the great blessing of hearing from him at Bible study and at the weekly Prayer Breakfast in a way that has helped bring Senators together and that has made a difference in the functioning and the foundation of this important body in our constitutional order.

Today, we have a guest Chaplain from my home church, First & Central Presbyterian in Wilmington, DE. She is my home pastor. Pastor Laura has served our congregation since July, 2 years ago.

A native of Arkansas, raised in Texas in the Disciples of Christ, Pastor Laura felt a calling to the ministry at the very earliest age but told God to just hold that thought for a moment. Two decades later, he called Pastor Laura again, more forcefully this time, and through my denomination, the Presbyterian Church, United States of America—or PCUSA.

After completing seminary in Iowa and serving three other ministry calls, Pastor Laura is now at our faith community in downtown Wilmington, doing God's work at a church without walls that welcomes without limits. Her humor, her hermeneutics, her exegesis, her homiletics—all the good stuff that a pastor does—help hold us together and inspire us to mission at a time that is almost uniquely challenging in my life.

I am so grateful for her wisdom and guidance at home in Delaware, and I thank Pastor Laura for her ministry today to this body, to our congregation at home, and throughout the arc of her life.

With that, Mr. President, I yield the floor.

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

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive 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.

REMEMBERING JAMES M. INHOFE

Mr. MCCONNELL. Mr. President, yesterday morning, the Senate was greeted by some sad news. A longtime former colleague and dear friend of many of us, Jim Inhofe, passed away.

As many of our colleagues are familiar, Jim's path to the Senate was an adventure on its own: honorable service in the Army, small business success, undergraduate degree by way of nine different schools, and, by one account, even some prospecting on rare earth minerals.

But what came to define his time in this body was more than his sheer confidence and experience on such a dizzying array of topics, more than his dogged determination on issues from infrastructure to the Armed Forces to African development. What I suspect so many of our colleagues will remember most about Jim was his honesty, his decency, and his deep faith; his love of God, love of country, and love of neighbor.

It would be difficult for anyone to hope for a richer legacy than that.

So this week, I know the Senate is keeping Jim's wife Kay and the whole Inhofe family in our prayers as they mourn a great man.

NATO

Mr. President, as I said yesterday, NATO members have taken some promising steps toward making the alliance fit for purpose. But now is not the time to get complacent. The threats we face are grave and growing. How we meet them will determine the future of the order that has underpinned the free world's peace and prosperity for decades.

Our greatest adversaries are not beating around the bush. PRC officials are stepping up their pressure against Taiwan. Standing on NATO soil, China's Ambassador to France suggested recently that China's civil war ''has not yet ended'' and threatened that the mainland could expel the ''rebel regime'' in Taiwan ''at any time.''

This comes from the same revisionist power that has succeeded for too long in infiltrating our economies, supply chains, and critical infrastructure with the promise of quick investments and easy profits. Not long ago, it was America falling prey to this alluring promise, but it is past time for European allies to learn from our experience. And it is time for America to correct our lingering mistakes as well.

We cannot continue to stand by as Chinese military modernization outpaces our own. We cannot abide defense budget requests that fail to even keep pace with inflation.

The cold truth for all of us is this: Those who fail to take hard power seriously will learn that fighting wars is vastly—vastly—more expensive than deterring them.

Just consider the neo-Soviet imperialist with whom the PRC has struck up an ''unlimited partnership.'' The West's weakness and hesitation didn't just fail to deter Putin's escalation in Ukraine, it actually invited a longer, costlier, and bloodier conflict. And Putin's brutal aggression, his reckless nuclear saber-rattling, his militarization of space, his weaponization of energy, his repression of Christians at home and in an occupied Ukraine, his coldblooded targeting of civilians, including a missile strike on Ukraine's largest children's hospital earlier this week—all of this is facilitated by China's support.

Of course, firmly knit into this same web of aggression is Iran, perhaps the most notorious enabler of terrorist child murder in the world, the architect of slaughter across the Middle East, the mastermind of Houthi threats to international trade, and the world's most active state sponsor of terrorism.

Iran continues to make determined progress toward a nuclear weapons capability. As the Biden administration's Director of National Intelligence acknowledged just yesterday, the regime is also stoking aggressive and anti-Semitic demonstrations on our soil—U.S. soil—against Israel's response to the horrific attacks that Tehran enabled.

Our European allies, of course, are reckoning with a persistent strain of anti-Semitism in their own politics. Serious allies ought to dispense with any wishful thinking about the prospects of rapprochement under Iran's newest President.

So make no mistake, the transatlantic alliance is growing stronger, larger, and more committed through the shared responsibilities of collective defense. And on the whole, we are staring down those connected threats with clearer eyes.

But the alliance is only as strong as its weakest link. And today, it almost appears that one weak link in NATO's chain wants to break it.

Last week, without coordinating with Ukraine, NATO, or the EU, Hungarian Prime Minister Victor Orban showed up in Moscow on a self-aggrandizing ''peace mission,'' giving Putin a chance to counterbalance the diplomatic pressure he is otherwise feeling.

Then he took to the pages of Newsweek to accuse the alliance of ''seeking conflict'' rather than resolving it. How insidious. Hungary knows what Soviet repression feels like. How in the world its leader could mistake NATO's efforts to help Ukraine defend itself against Russian aggression for ''the pursuit of war'' is beyond me.

Neither Ukraine nor NATO provoked Russia into invading Ukraine in 2014. Neither Ukraine nor NATO provoked Russia into escalating its conflict in 2022. As I have said, it was the West's failure to meet Russian aggression with strength that emboldened Putin.

Unfortunately, Mr. Orban's curious soft spot for authoritarians isn't limited to the aggressor that, ironically, drove Hungary to join NATO in the first place.

This week, he also found time to visit Beijing to reinforce what both Hungary and the PRC call ''an all-weather comprehensive strategic partnership.''

Well, Republicans in Washington who fashion themselves both ''national conservatives'' and China hawks should pay more attention to Mr. Orban's actions and ask themselves if they are consistent with American interests.

It is certainly difficult to explain away the data. Three years ago, Hungary accounted for less than 1 percent—1 percent—of Chinese investment in Europe. Last year, it received more than 44 percent.

With an economy smaller than Kentucky, Hungary attracted more Chinese foreign direct investment than Europe's top three economies combined. I thought America and our allies were supposed to be reducing our reliance on the PRC. Money talks.

So perhaps it is not surprising that Orban finds time to confer with President Xi, but his government has gone out of its way to slow-walk European assistance to Ukraine. And it has chased deeper trade ties with Iran.

Budapest publicized a call between Hungary's Foreign Minister and his new Iranian counterpart with not a word of criticism for Iran's support for terrorism, malign activities across the Middle East, or support for Russia's war of aggression.

So much for Orban's pursuit of peace. The most successful military alliance in human history didn't get this way by letting dictators and theocrats eat our lunch.

China hawks should be the first to discourage the expansion of PRC tools like Huawei on European soil. Friends of Israel should have no time for myths of constructive engagement with an Iranian regime that underwrites the slaughter of Jews.

NATO members ought to know better—and many do—but, clearly, we have a lot of work still ahead of us.

STUDENT LOAN FORGIVENESS

Mr. President, last month, two judges approved by President Obama ruled against one of President Biden's cornerstone efforts to buy votes: the so-called SAVE plan. By one estimate, this iteration of the Biden administration's student loan socialism scheme would transfer about half a trillion dollars from borrowers to taxpayers by arbitrarily lowering payments for those who borrowed less than $12,000.

Now, as I mentioned before, the policy is not just costly, it is profoundly—profoundly—unfair. Working taxpayers

who opted not to attend college, folks who worked their way through college to avoid taking out loans, and families who sacrificed and saved for their children's education are all now on the hook to pay somebody else's bills. Even left-leaning scholars have noted that this policy is regressive.

By one analysis, nearly one-third of all the student debt is held by the highest earning fifth of American households. Meanwhile, the lowest earning fifth of households hold only 8 percent of the debt. Just last month, one Congressional staffer earning more than $80,000 thanked President Biden publicly on social media for forgiving his $8,000 student loan.

Working families are struggling with high prices and high interest rates—the direct and predictable result of the Biden administration's runaway spending spree. But now Washington Democrats expect them to pay the bills of some of the highest earning elites? Talk about adding insult to injury.

Even Obama-appointed judges are now agreeing with Republicans that the policy is illegal. Last month's ruling confirmed that the President does not have the authority to wave a magic wand and lower student loan payments.

Washington Democrats love to crow about how the Federal judiciary has been co-opted by shadowy rightwing extremists. They have gone to shameful lengths to degrade the legitimacy of the institution of the Supreme Court.

But when even judges appointed by a Democratic President are siding with the Republicans, it might be time for our colleagues to look in the mirror and ask who the extremists really are.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

NATO

Mr. SCHUMER. Mr. President, this week, the city of Washington becomes the command post of liberal democracy. It was my great honor to join, earlier this morning, with Leader MCCONNELL and with my Democratic and Republican colleagues welcoming to the Senate the Secretary General of NATO, as well as the leaders of the U.K., Germany, Sweden, and Finland. For the first time ever, we were proud to welcome the leaders of NATO's two newest members, Sweden and Finland. Standing in the same room with NATO's newest members, Sweden and Finland, was a proud moment for us Senators. It was a culmination of the work that began 2 years ago when the Senate, in a bipartisan way, overwhelmingly approved their accession to the alliance.

I told the leaders of NATO that America will never turn its back on the alliance. I told them the Senate will always hold up its end of the bargain to support NATO and ensure we have the tools to keep the free world safe; and I urged everyone in the room to continue standing firmly with Ukraine.

I applaud the members of NATO for their major announcement of a new round of aid that will help soldiers on the battlefield, brave Ukrainian soldiers.

UKRAINE

Mr. President, later today, I will also meet with Ukrainian President Zelenskyy at a bipartisan meeting of Senators, and we will affirm yet again that the United States stands with them until the job is done.

A few months ago, the Senate showed what leadership looks like by passing a sweeping supplemental package that delivered weapons and ammo and air defenses and missiles for Ukrainian soldiers.

Unfortunately, sadly, many extremists on the hard right led by Donald Trump didn't want to send so much as a nickel to help Ukraine. They would have preferred to let Putin have his way in Europe.

The hard right's softness towards Putin is a prime example of why they cannot be trusted to protect America on the world stage. I am glad their opposition to Ukraine aid was ultimately unsuccessful. But a majority of Republicans in this Chamber voted against that aid.

And what really bothered me was so many of the Republican—the Republican party has been a strong, anticommunist, hawkish party since the days of Ronald Reagan, maybe earlier. And all of a sudden, when Donald Trump, whose knowledge of foreign policy is negligible—to put it kindly; it is often wrong—they turn around and do 180 degrees and oppose giving aid to Ukraine and, instead, start to smile upon Putin.

That, my fellow Americans, is a warning of what a Republican-controlled Senate would do if, God forbid, Trump becomes President. They would turn around on all their principles. Donald Trump could, on a whim, say something, and all of a sudden: Yes, sir. They will march in line with him. This Ukrainian example was a sad one.

So this week, we saw why the supplemental was so important and why America must stand with the Ukrainian people after Putin's forces obliterated an entire wing of the largest children's hospital in Kyiv. I mentioned this to our NATO leaders and the heads of Sweden and Finland and Germany and Britain who were at our meeting.

What a vicious man Putin is. A children's hospital? You see the pictures of these children who were trying to survive cancer—you know, when you see pictures of children like that, many with their shaved heads—and Putin bombs the hospital? What a despicable man. What a brute. That is who we are dealing with, world. That is who we are dealing with, America, when it comes to Vladimir Putin. His savagery is an example of why Donald Trump's vision is so dangerous at this moment, because a Trump administration would make a Putin victory far more likely.

Thankfully, that is not the case. Instead of breaking NATO, Putin's war has made NATO even stronger and must continue to be that way until the Ukrainian people see victory and peace is restored to Eastern Europe.

REPRODUCTIVE FREEDOM FOR WOMEN ACT

Mr. President, now on choice, today the Senate will vote on the Reproductive Freedom For Women Act. Senate Republicans must answer a very simple question: Do they believe that women should be trusted to make their own healthcare choices? Yes or no? Will Republicans stand with the majority of Americans, stand with the mainstream, and stand against Donald Trump by affirming a woman's fundamental right to choose? Will Republicans show courage and declare, as most people in this country prefer, that the basic protections of Roe v. Wade should be the law of the land?

I want to thank Senator MURRAY from the great State of Washington for leading this bill and every single female Senator on our side of the aisle for cosponsoring it.

Today's vote will not be the end of the struggle to secure reproductive freedoms, but it is an important step forward. Americans want to see where their Senators stand. By voting on these bills on women's health, we are moving the issue forward, because it is very important and very reasonable for members to be called on to take a position on a vital issue.

Of course, many Republicans would rather sweep reproductive health under the rug, saying it is political. But this is not political. This is the essence of what elected government is like. We all know these issues are deeply personal to so many people, and Americans ought to be able to see how their Senators vote.

All year long, Senate Republicans have shown everyone just how out of touch they are with the mainstream. When Senators blocked Federal protections for contraceptions, when they blocked protections for IVF, they chose MAGA extremism over the American people.

When Donald Trump pushed not one, not two, but three radical Justices to the Supreme Court with the explicit goal of overturning Roe, Senate Republicans confirmed them without question.

It was Trump who said:

> If we put another two or . . . three justices on [the Court] . . . that will happen.

Every time Senate Republicans have gotten a chance to do the right thing this year, they have consistently doubled down on their anti-woman agenda. Just yesterday, Senate Republicans again and again came to the floor to block commonsense legislation to protect women's reproductive freedoms.

Of course, if my Republican colleagues take issue for being called out for their bad record on women's issues, they have another option. They should vote yes today. Maybe it will happen. Unlikely, but you always hope.

If Republicans don't think women, on the other hand, are second-class citizens, they should vote yes. If Republicans don't think women are second-class citizens, they should vote yes. If Republicans do, in fact, trust women to make their own reproductive choices, they should vote yes.

I urge them: Do the right thing. And I remind them: America is watching.

STEEL AND ALUMINUM TARIFFS

Mr. President, now on the U.S.-Mexico steel announcement, this morning the Biden administration announced new joint actions with Mexico to prevent China and other countries from evading tariffs on steel and aluminum imported through Mexico.

For years, America's steel and aluminum industry has been harmed by the Chinese Communist Party's schemes to flood markets with products that are artificially cheapened thanks to subsidies from the Chinese Communist Party. One of the most common ways the CCP avoids tariffs and launders its steel into the U.S. market is through Mexico.

Earlier this year, I visited a steel producer in central New York, Nucor Steel in Auburn, NY—many good paying jobs in that beautiful plant. I visited the plant to bring attention to a dangerous pattern in our steel industry.

I called then on the administration to take action to stop the steel surge from China by preventing the CCP from using Mexico as a backdoor entrance into the United States.

I am glad to see this morning that the Biden administration responded to my concern by taking action to strengthen U.S. steel and aluminum. We have some very fine aluminum plants in Upstate New York as well.

This announcement is a major step towards protecting U.S. markets from being flooded with cheap, Chinese-made steel and aluminum imported through Mexico. The Chinese Communist Party's unfair trade practices have devastated companies and union steel workers across the United States, and especially in industrial places, places like Auburn in central New York, Massena in the north country, who simply aren't competing on a level playing field.

The CCP's behavior also endangers our national security because it weakens our domestic supply chains used by our military and transportation systems.

So the administration's action is great news for America's safety and for communities and States like New York, Ohio, Pennsylvania, and others who know the grief of watching manufacturing jobs leaving for China.

I applaud the administration for taking action to stop the Chinese Communist Party's unfair trade practices, and we will keep working to make sure American workers, manufacturers, and industrial regions are not left on the world stage.

And just one other note, upstate New York has a major role in convincing America and their Senator about China's unfair practices. When I visited Crucible steel up in Syracuse in 2003, the owner said to me: China is manipulating its currency. It makes it much harder for me to sell steel abroad, and it makes it easier for China to compete with me here in America.

LINDSEY GRAHAM and I, actually—Senator GRAHAM and I back then teamed up and worked and worked and worked to see that this manipulation of currency, which affected steel, was put an end to, and we have made some significant progress. There is still more to make even now.

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 called 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.

The Senator from Rhode Island.

REMEMBERING JAMES M. INHOFE

Mr. REED. Mr. President, I rise today to pay tribute to a great gentleman, a dear friend, a colleague, and in many cases a battle buddy, Senator Jim Inhofe.

He was an extraordinary gentleman. And you can't say ''gentleman'' enough when it came to Jim Inhofe. He was a man of humility, of decency, and of kindness, and he touched everyone he met with those qualities.

He was also a man of deep principle. But what made him a great Senator—in fact, one of the best that served in this body—is that he was always looking for principled compromise. He was always trying to reach across the aisle and see if he could, working with others, find a way forward that would be better for the country. So I was terribly saddened when I learned yesterday of Jim's passing. He was a leader. He was a gentleman. He was all that we expect a Senator to be and much more.

I was honored to serve alongside Jim. For three decades, he served on the Armed Services Committee in both the House and the Senate. I had the privilege to serve with him as a member of the Senate Armed Services Committee. We were, in turn, both chairman and ranking member—both the senior Republican and the senior Democrat—on the committee for many years, and we produced nearly two dozen National Defense Authorization Acts. We traveled to combat zones and military posts around the world and worked to support our men and women in uniform. As I said before, there were many issues we disagreed upon, but we were able, in many, many—if not most—cases, to find a way forward.

One of the issues that I think is so compelling in Jim's life is that as a young man, he was in the Army, and he knew what it was like to serve and sacrifice and dedicate yourself to a cause beyond personal ambition and personal aggrandizement. He learned also something that was profound and reflected in all of his work on the committee—that the decisions we make here ultimately affect the lives of young Americans in uniform across the globe. He knew that. He understood that. So he was not sitting back here thinking about, well, how will this affect this company and that company? It was, are we doing the best for the young men and women who have dedicated themselves to this country and would sacrifice even their lives for this country? Are we doing as much as we can for the families that are serving with them? That profound sense of service that he incubated as a young Army soldier he carried through his Senate career.

He always insisted on speaking to the junior NCOs and junior servicemembers. You know, up here we all get briefings from generals saying ''Here is the situation, sir,'' but he wanted to get down and talk to privates and specialists and seamen and airmen and say: What is going on? How are things going? Is this working from your perspective?

Again, adding to the quality of his service was his sensitivity. He truly understood the people who serve in uniform in the United States, and he made sure to support those troops. He sponsored critical legislation to improve their lives, whether by overhauling barracks or creating new benefits for military families. He and I worked together on countless efforts to provide better pay and healthcare and equipment to our service men and women.

This Nation and our military are stronger today because of Jim Inhofe and safer today because of Jim Inhofe.

He had a way of looking ahead. I remember when I was serving as the ranking member with John McCain and we were thinking about what would face us in the future, and Jim was there with us, talking about the Pacific Deterrence Initiative, how we have to begin to put more resources in the Pacific, and then, before the invasion of Ukraine, the European Deterrence Initiative. I mean, we have to be able to be flexible and to counter the thrust of a potential outbreak of war. We were positioned in Europe to help the Ukrainians because of Jim Inhofe's work over many, many years.

I am especially proud that the Armed Service Committee voted to name the fiscal year 2023 Defense bill the ''James M. Inhofe National Defense Authorization Act.'' It was a fitting tribute and honor.

Again, he was an extraordinary leader with legislative skills, the capacity for hard work, always placing the troops and his fellow Oklahomans first. He never forgot about Oklahoma. He

never forgot about their needs. He was in there fighting every step of the way.

I am very, very grateful for the kindness he extended to me. He was just an amazing gentleman. I think I speak for the Senate Armed Services Committee and I think I speak for all of the Senate: We will miss him dearly.

I want to express my deepest sympathies to Kay, his wife, and his wonderful family. He would admit without any reservation that he was able to do his job because of the love and support of Kay and his family. They were there with him every step of the way. In their moment of sorrow and sadness, I offer my sincerest condolences.

May we all strive for the wisdom, courage, and humility that Senator Jim Inhofe imparted upon this great Nation and this Senate.

I also want to salute my colleagues today—Senator LANKFORD, who is carrying on that tradition of integrity and decency, as are Senator THUNE, Senator CORNYN—and to thank them for letting me say a few words about my friend Jim Inhofe.

With that, I yield the floor.

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

Mr. THUNE. Mr. President, I want to join with Senator REED and so many of my colleagues today as we express our great sorrow in learning about the death of Senator Jim Inhofe.

Jim was an icon here in the Senate. He was a personal inspiration to me. When I first got here, he was the chairman of the Environment and Public Works Committee in the Senate and worked with me. My first legislative accomplishments came as a result of him and his staff working with me to help me establish myself as a new Senator and to do the work that the people of South Dakota sent me here to do. And he made that possible because of just the way that he led the committee and his understanding of what it takes to get things accomplished here in the U.S. Senate.

And I am grateful for his legislative prowess, for his leadership as a chairman of not only that committee but later the Senate Armed Services Committee. And I am grateful for his tireless work ethic. I have learned a lot.

My first trip actually, as a Senator, abroad was to Iraq, and I went with Senator Inhofe. And I can tell you from traveling with him—and I know that anybody who has traveled with Senator Inhofe knew—that he had boundless energy and an ability to work people half his age under the table. He was truly a remarkably durable and passionate advocate for this country, a man of deep convictions, and—as was pointed out by Mr. REED—somebody who had a connection with the rank-and-file military because of his military background. And in every place that we went, we would meet with soldiers who respected him for that—the connection that he had and also for the leadership that he provided for our country when it came to important national security matters.

I also had the opportunity in Oklahoma to visit and to travel the State a little bit with him. I flew in an airplane with Senator Inhofe, and he was a renowned pilot. I think everybody knew that was one of his great passions in life. But there wasn't anybody who was around him ever who had the opportunity to interact or work with Senator Inhofe who wasn't impressed by that powerful work ethic that he brought for the people of Oklahoma and for the people of this country.

And I know that, in traveling abroad with him, I saw that firsthand. I know of his many trips to the continent of Africa, oftentimes to war-torn countries where he built relationships, advocated for American ideals, and was a tremendous example and witness on those trips. And I am grateful for his leadership in so many ways and for the impact that he had not only to the people of Oklahoma and to the people of this country but people all over the world whom he touched by his work, by his efforts, and by his character.

And I also want to say, finally—and probably most importantly—above all, I am grateful for his Christian witness. Jim was a man of deep and profound faith, and it showed up literally, as I mentioned, in every aspect of his life.

For many years, he hosted Chaplain Black's Bible study in his office, providing a place for Senators from both parties to gather for prayer and study. I don't think—and I think Chaplain Black would probably validate this—that Jim ever missed a session of that Bible study. And while the Bible study has continued without him—and is still, I would argue, one of the most significant hours that we spend here each week—I know that all of us miss being welcomed into Jim's office, which Jim made easy for us to find by hanging the ichthys symbol outside of the door.

My thoughts and prayers today are with Jim's wife Kay and with his family. Jim will be sorely missed. But in the midst of the sorrow, I am also comforted by these words from the Apostle Paul, and these are words Jim deeply believed:

> Brothers and sisters, we do not want you to be uninformed about those who sleep in death, so that you do not grieve like the rest of mankind, who have no hope. For we believe that Jesus died and rose again, and so we believe that God will bring with Jesus those who have fallen asleep in him. . . . For the Lord himself will come down from heaven, with a loud command, with the voice of the archangel and with the trumpet call of God, and the dead in Christ will rise first. . . . And so we will be with the Lord forever. Therefore encourage one another with these words.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I want to join with my colleagues and say a few words celebrating the tremendous life and times of James Mountain Inhofe. He had a great name, and it seemed to fit him amazingly well.

My memories of Senator Inhofe were similar to those that Senator THUNE mentioned. When I came to the Senate, he was the chairman or ranking member of the Environment and Public Works Committee. I remember him telling me one time: I am a true conservative. I believe in a strong national security, lower taxes, and infrastructure.

And, of course, the job of the Environment and Public Works Committee was largely to handle the regular highway bill reauthorization and funding. And he was true to his word. He believed, as a true conservative, in those three important things, and, he said: Pretty much everything else we do is way down the list in terms of priorities.

But perhaps the time I remember the most is working with him when he was leading the Armed Services Committee. I know he believed that there was no more important job for us to do—those of us who have the privilege of serving in the U.S. Senate or in the Congress—than to defend and protect our country and our way of life. And he believed that with all of his heart and all of his mind.

And so the exercise that we do every year, which is called the National Defense Authorization Act—which we have done, I think, now 63 years in a row—he was passionate about making sure that we did that on time and got it done because of his commitment not only to our national security but to the men and women who serve our country in uniform and the families who love and support them. And he was passionate about making sure we did our work and supported them and kept our country safe and our way of life protected.

His physical stamina was legendary. We have already heard some of our colleagues talk about some of his trips around the world. Some of our colleagues, when they travel, believe in what I would call almost a ''death march'' pace. And, certainly, Senator Inhofe believed in making the most of his overseas travel, but, frankly, most of them were focused on either supporting our men and women in uniform, most recently in Iraq and Afghanistan, but also making sure that he got the most out of those trips. So if you agreed to go with him, chances are you wouldn't get much sleep, but you would get a chance to see and do a lot. He would regularly make his trips to Africa, where he would reach out to leaders through a common belief and a common faith.

He was very active in the National Prayer Breakfast. I remember, on most Wednesday mornings here in the Senate, he would almost always be at the Senate Prayer Breakfast. For those of us who can attend from time to time, it is one of the times where we sort of take our masks off—where we are not Republicans or Democrats and where we share a common faith. This is something that I know was very important in his life.

Certainly, he was a wonderful example and exemplar for the rest of us in how to be a whole person, not just a political animal coming here or maybe a performance artist but somebody who was a genuine human being, who had a strong foundation in his faith and strong beliefs and convictions about what he was here to do.

One of the things I will never forget is his annual quail hunt in Altus, TX—excuse me—Altus, OK. I said Altus, TX. We call Oklahoma ''North Texas'' sometimes, and they call Texas ''South Oklahoma,'' but we share a common border and a lot of common interests. One of those was the annual quail hunt in Altus, and it was a great community event. They are primarily connected with the airbase and trying to make sure that community support is strong for that airbase in Altus. I would go up to his each year, and then he would come down to one that I have in Hondo, TX, outside of San Antonio.

The other thing I remember—and Senator LANKFORD, I know, has carried on this great tradition—is that they would have their annual quail breakfast here in DC. It is not something you would ordinarily find at your breakfast table here in Washington, DC, but they would have an annual quail breakfast with the Altus delegation each year.

I just think we have lost a great man, a great Senator, a great human being, a great friend.

I wanted to come to the floor to express my condolences to Kay and his wonderful family—who meant everything to him—for their loss. We share in their sense of loss, but we also share in their celebration of a great life lived.

He had a good run. There is not a lot you can complain about in terms of living to 89 years old and having the sort of fulfilling life and accomplishments he had in his life. So we do want to send our condolences to the family because we know they are grieving now, but we also want to hold up Jim Inhofe as an example of what we should all aspire to as Senators—a great representative of his State, a great human being, and a great, great friend.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the following Senators be allowed to complete their remarks prior to the scheduled rollcall votes: myself, Senator LANKFORD, and Senator ROUNDS.

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

Mrs. FISCHER. Mr. President, my colleagues and I are here today to honor the life of our former colleague, Senator Jim Inhofe.

Jim was a longtime legislator, a public servant, and a conservative champion. He was many things to many people. To me, Jim was a dear friend.

Jim and I are both from the heartland, so we shared a similar world view as well as a commitment to similar people—the humble, hard-working Americans from the center of this country.

Jim was fierce in his convictions. Jim was serious in his work. He was also kind-spirited, with a deep compassion for others. But perhaps more than all of these things, Jim was a visionary who used his positions in public life to build a better future for his State and for this country. He recognized the profound importance of public infrastructure investment. From highways, to airports, to levees and much more, Jim's legacy can be felt all across America's heartland.

Jim and I worked together on the Senate's Armed Services Committee. A veteran himself and an avid pilot, Jim was a fighter for the members of our military. All of our Senate colleagues knew that if Jim was leading an international trip to visit with servicemembers across the globe or to meet with America's allies that that trip would be all business. We would sleep on the plane, and we would be in a different country every single day.

I remember that, on one trip, we were forced to slow down a little bit when we lost a plane engine. You heard that right. We lost a plane engine, so we needed to stay in a country an extra day while the repairs were going to be made. That didn't mean we had a vacation. What Jim did is he found ways that he could be relentlessly efficient with all of our time, and his energy and his motivation to do the people's work was infectious.

Near the end of his Senate career, Jim served as the ranking member on the Armed Services Committee. He was one of the first Members of the Senate to recognize how seriously the world had shifted since the Cold War and how desperately we needed to rebuild our military in response to that. He had a very clear view of the global threats that America faces, both present and future, and he led accordingly.

Jim respected the design of the Senate as a place where every State's needs should be considered. He valued cooperation, he valued collaboration, and he wanted our annual Defense bill to reflect the concerns of all of the committee members.

He was resolute in his views and fierce in their defense, but he was always kind and caring. He built strong friendships with all of his colleagues, and despite many disagreements, he would have these relationships, so much so that a close Democrat colleague once described him as a brother to her.

Of course, you cannot speak of Jim without speaking of his family. Anyone who knew him knew how much he loved his wife Kay. He was a devoted husband, father, and grandfather. The only thing that convinced him to leave decades of public service to the people of Oklahoma was his desire to care for his wife.

My heart goes out to Kay and to his three surviving children, Molly, Jimmy, and Katy. May God comfort them in their sorrow, and may Jim's long life of love and service be a balm to their grief.

America knew Jim. America will remember him as a principled man, deeply committed to his values. The people of Oklahoma knew exactly who he was, and that is why they reelected him to the U.S. Senate five times.

His legacy will live on as a friend, as a husband and father, as a veteran, as an Oklahoman, as a U.S. Senator, and as a very good man.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, I think many of us come down here to the floor with prepared remarks because we want to be precise in what we say, but after listening to my friend from Nebraska and her remarks, I have to admit that some of the memories she has of Jim Inhofe are very similar to the memories I have of Jim.

Before I go into fully prepared remarks, I just want to share with you that I don't know that anybody else has the record that Jim had of the number of snowballs that have been tossed on the floor of the Senate. Jim is one of those guys who could get away with coming in with a snowball and then looking at a young page and saying, ''Be ready to catch this when I throw it at you,'' and then, in the middle of talking about climate change and the fact that he disagreed with a lot of the new ideas, he would pick up a snowball, show it to everybody, and then toss it over to one young page, who I am sure will never forget that for as long as he lives.

Jim made friends everyplace he went. Now, he had his own ideas about what things should look like and about how things should proceed—and I have to tell you that I think, in the vast majority of cases, he was right—but he also wanted to have a discussion with other people. He liked to have debate. They were friends as far as he was concerned. And you could have disagreements among one another, and you could still be friends. Jim was one of those guys who truly believed that, if you were his friend and you agreed with him 80 percent of the time, you were never going to be an enemy; you were always going to be a friend.

I traveled the world with Jim on more than one occasion, and no matter where he went, he went in what he called the spirit of Jesus. He believed that the Christian value he had was the conduit between people from all different faiths and that, in his opinion and as long as he was prepared to share his faith, he was going to be welcomed, and he was.

I don't think people realize that this guy from the middle part of the United States of America was a guy who later on could say that he was a man who shared a prayer with Muammar Qadhafi in Qadhafi's tent, but he did that because he thought it was the right thing to do.

Jim was my friend, he was a mentor and the way that he treated other people is the way that I think all the rest of us should treat people.

Jim's wife Kay became a very special friend to both myself and my late wife Jean. She treated both of us with that respect and acceptance that you don't always get; yet you see it as being very, very sincere. We became part of their family, and we will never forget that.

You see, Jim Inhofe was a true ambassador for his State, his country, and most importantly, Jesus. Whether he was in another country or attending our weekly Senate Prayer Breakfasts, he loved sharing his faith with others.

Jim and I traveled the world together, and we shared a love for aviation. He was one of my best friends in the U.S. Senate.

Jim often said that real friendship did exist in the Senate even if the news wouldn't necessarily show it. To Jim, it didn't matter if someone was a Republican, a Democrat, or an Independent; he put political parties aside to get things done and trusted and respected the colleagues he worked with. Many of us in this Chamber are lucky to have worked with Jim and to have called him a friend.

I especially appreciated his leadership and partnership while working together on the Senate Armed Services Committee. Jim worked tirelessly each year to make sure that the Senate passed legislation providing for our national security and for our servicemembers through the National Defense Authorization Act. It was fitting and well-deserved as a tribute to have the James M. Inhofe National Defense Authorization Act for the fiscal year 2023 signed into law.

He made many contributions on the national and international stage, including his deep love and appreciation for the people of Africa, particularly Ethiopia. He developed meaningful relationships across the world through a shared love of Jesus, and our world is better off because of it.

My thoughts and my prayers go out to Jim's wife Kay and to their family.

Jim has slipped the surly bonds of Earth. Now he can put out his hand and touch the face of God.

I will miss my friend Jim.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, in honor of Jim Inhofe, I would like to ask unanimous consent to speak as long as I so desire.

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

Mr. LANKFORD. Mr. President, I am standing today at not my desk location; I am standing at my senior Senator's desk location. This was the location for Jim Inhofe's desk 2 years ago when he retired from the Senate. And as you have heard from multiple different Members today, he will be deeply missed.

I still have a moment every time someone says ''the senior Senator from Oklahoma''—and they are speaking to me—that I turn around and look for Jim. He will be sorely missed.

Jim was my friend. He was my colleague. He was a mentor. He was a person to be able to work side by side with. Our staffs worked very well together because we chose to work well together and to be able to get things done for our State of Oklahoma.

My task today is to tell a little bit of his story. I can't do that in a few minutes, but I am going to try to give as much as I can.

James Mountain Inhofe—and everyone loved that middle name of his. James Mountain Inhofe was actually born in Iowa in 1934. His parents: Perry Dyson Inhofe and his mom, Blanche Phoebe Mountain. That is where the ''Mountain'' came from. Most folks don't even know.

But the Nation and our State was forever changed when, at 8 years old, their family moved from Iowa to Tulsa, OK. They stayed, and he graduated from Central High School in 1953, later graduating from the University of Tulsa but actually attending classes all over the place to be able to get to that graduation.

He served in the U.S. Army from 1957 to 1958, stationed in Fort Lee, VA. He became a licensed pilot in 1958, and that was one of the loves of his life. But the real love of his life was his relationship with Jesus and his beautiful wife Kay, whom he married in 1959.

He was first elected to public office in Oklahoma at 32 years old, actually. He served in the Oklahoma House of Representatives, sat on multiple committees, and then was elected to be the mayor of Tulsa in 1978. He loved Tulsa, OK.

He later served in the U.S. House of Representatives from 1987 to 1994, and then was elected, in a special election, into this body in 1994. He was sworn in on November 17, actually, 1994, on his 60th birthday. He then served five terms after that, serving the U.S. Senate, serving as chairman of Environment and Public Works; serving as chairman of Armed Services; serving on multiple different committees, including the Intelligence Committee, Indian Affairs Committee, Committee on Foreign Relations, Committee on Commerce, Science, and Transportation, Committee on Small Business. He was engaged in this body and worked to be able to find ways to be able to make a difference for our State of Oklahoma and for the Nation.

He loved flying and had over 11,000 flight hours. In fact, he did a crazy thing. He did multiple crazy things, but he did a crazy thing in that he replicated—I should say recreated—Oklahoman Wiley Post's historic flight around the world when he got in a twin-engine Cessna and flew from DC to Iceland to Berlin to Moscow, all the way back around to Alaska so he could circumnavigate the globe, following after Wiley Post, the famous Oklahoman's circumnavigation of the globe as well.

He was passionate about infrastructure, which has been mentioned often. He would often say, as a conservative, he was passionate about national defense and about infrastructure, and those were constitutional responsibilities. And he fulfilled that well.

He was passionate about trying to find ways to be able to help veterans and those who were serving in our military and to be able to maintain energy.

There is a great story of a debate that he held about energy taxes on the floor of the Senate here, and it was a full-on debate, which rarely occurs in this body very often. But it was led by Senator Inhofe on this side of the aisle and by Senator BERNIE SANDERS on the other side. And they had an hourslong debate between the two of them about energy taxation. And at the end of that, there was a vote, and Senator Inhofe won that vote 2 to 1. At the end of it, Senator SANDERS came to him and said: We don't do that often enough. We should do that more.

Senator Inhofe never hesitated to be able to talk about the hard issues with the people he disagreed with and to be able to say: Let's figure it out.

When I attended Dianne Feinstein's funeral not that long ago, Senator Barbara Boxer from California immediately found me at the funeral and said: How is my friend Jim? A very conservative Oklahoman had a longstanding friendship with a very liberal Californian, and they found ways to be able to work together.

As JACK REED mentioned earlier, a Democrat from Rhode Island and a Republican from Oklahoma worked very hard on national defense and found their common ground together.

Though there are many things that Jim Inhofe will be recognized for, he will be remembered for his work in Africa. Jim Inhofe conducted 172 African country visits in the time he served in the Senate, more than any other Senator in the history of the Senate, he spent in Africa. He visited leaders over and over and over again in Africa, developing deep relationships and friendships.

Every time I meet an African leader here in Washington, DC, and they hear that I am from Oklahoma, either the first or second thing that they will say to me is: Do you know my friend Jim Inhofe? And I will proudly say: Yes. And that African leader will say: He has been my friend for years—because Jim Inhofe intentionally went to Africa, developing relationships.

The reason we have an AFRICOM military focus in that area is because of Jim Inhofe. There are relationships that he built across the years there that brought down violence in Africa—because when violence began to erupt in some countries, Jim would get on a plane and would fly and would get the two leaders who were in conflict—because he knew them both—together and say: We are going to pray together, and we are going to resolve this right now. And he did.

And while most of the world doesn't know what Jim Inhofe did in Africa, he will be long remembered for his faith, his love for his family, and for what he did over and over again for the people of Oklahoma and for Africa.

He was the longest serving Senator for the State of Oklahoma, and he will be long remembered and appreciated in my great State. He will be appreciated by many of the staff members who worked alongside of him, I can assure you of that. He had 34 staff members who worked for him for more than 10 years.

Now, for anyone in this body, we know how rare that is because staff members tend to come and go. But for Jim, he wanted to be able to build camaraderie among his team. He wanted to be able to do serious, hard things, but he often did it among his staff in a nonserious way. He was notorious for the way, quite frankly, he tormented his staff, bugged them, hazed them, and challenged them to be able to step up and to be able to do hard things and figure out how to be able to get things done.

Ryan Jackson—who was his future chief of staff—on his first day on the job as a young campaign staffer, Jim Inhofe picked him up in Oklahoma City. They drove out for a campaign event in Western Oklahoma for that event, and then Jim went back to Tulsa not through Oklahoma City and told Ryan: Figure out how to get home—which he did to multiple staff members over the years because he wanted to be able to push them and to say: Figure it out. That was always his challenge to his staff: Figure it out. By the way, that didn't scare Ryan off. He stayed with him 18 years, and that young campaign staff member later became his chief of staff.

He had many rules, but the top rule that he had was, on his airplane, no one touch the door of his airplane but him. That was a fireable offense for any staff member that wanted to be able to touch the airplane door except for him.

He also had a book that he would pass out to his staff all the time called ''Message to Garcia.'' Many of us know that book. That book is a story about a young soldier who was given a task by a general and was basically told he has to be able to figure things out. So he would hand that book to staff members and would say: Read this. You need to be able to know this.

And a staff member on his team, when he turned a memo in to Jim Inhofe and it wasn't sufficient, would get just the message ''MTG'' written on it; in other words, ''Message to Garcia,'' go figure this out, and come back and tell me what needs to be done.

He was also, as has been mentioned by multiple of my colleagues, an extremely hard worker. His staff often said they only worked half a day for Jim; that is, from 7:30 in the morning until 7:30 in the evening; that they would just work half-days. In Jim Inhofe's office, if you arrived at 8:30, he would greet you with a ''good afternoon'' statement to you to be able to welcome you in.

He had, as I mentioned, many opportunities to be able to do ministry and challenges to people in Africa, and there was a deep love for him in multiple countries, but probably no more so than in Western Sahara, where he fought tenaciously for the independence of those individuals in Western Sahara with Morocco—in fact, so much so that Western Sahara officials gave him a camel, which, obviously, he couldn't accept nor bring home; and so he told them: Just hang onto it; I can't actually accept this camel and take it home.

So when he visited Western Sahara, every time, they would bring the camel back to the airport to show him they are still hanging onto his camel; they still have it.

I have to say, there are a million stories about his leadership and his interaction, but his staff tells great stories about their friendships and relationships.

I have been to many a place where Jim would turn and look into the crowd and would identify what he called the ''has-beens'' that were in the crowd. Those were the staff that were his former staff that showed up at just about every event he would go to because of their deep love for him, even though they had left the staff.

Wendi Price, when she first got her job as scheduler, was put on probation because Jim felt she was too young. She stayed on probation for 20 years and would still be working with him today if he hadn't retired.

I have to tell you, there are a lot of caricatures about Jim Inhofe, and I have read some of the stories in the newspaper of things that some of the press writes about him. I can only read those stories and shake my head and say: Jim would have loved that—because he didn't allow liberal press to be able to define him.

He worked across the aisle. He worked to get things done. And he spent time doing the things that needed to be done for the future of the country, including at a moment when President Trump was elected and many of Jim Inhofe's staff were actually put into the EPA. And it drove the Washington Post crazy that many of Jim Inhofe's staff with the EPW went to the EPA. And the Washington Post wrote a blistering story about it.

Jim Inhofe bought a ton of the copies of that Washington Post and then just started handing it out to people so that they would all read and would know he is fully aware of what people say but he is going to work to get stuff done for the country.

I will miss my friend. And I will continue to pray for Kay and for his family as they grieve.

And I say to them, Psalm 34:18:

The Lord is near to the brokenhearted, and He saves those who are crushed in spirit.

They grieve for their husband, their dad, their grandfather. Many of us grieve for our friend. But this Senate will miss Jim Inhofe. So will our Nation.

With that, I yield the floor.

VOTE ON WILLOUGHBY NOMINATION

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

Mr. WHITEHOUSE. 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 Delaware (Mr. COONS), the Senator from Massachusetts (Mr. MARKEY), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Utah (Mr. ROMNEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting: the Senator from Florida (Mr. SCOTT) would have voted ''nay.''

The result was announced—yeas 50, nays 43, as follows:

[Rollcall Vote No. 208 Ex.]

YEAS—50

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Sanders
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Butler	King	Smith
Cantwell	Klobuchar	Stabenow
Cardin	Luján	Tester
Carper	Manchin	Tillis
Casey	Merkley	Van Hollen
Collins	Murkowski	Warner
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Welch
Fetterman	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	

NAYS—43

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

NOT VOTING—7

Coons	Menendez	Sinema
Cruz	Romney	
Markey	Scott (FL)	

The nomination was confirmed.

(Ms. ROSEN assumed the Chair.)

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

The Senator from Minnesota.

Ms. SMITH. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the Wagner cloture motion be waived.

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

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 623, Anne Marie Wagner, of Virginia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2029. (Reappointment)

Charles E. Schumer, Gary C. Peters, Kirsten E. Gillibrand, Tammy Duckworth, John W. Hickenlooper, Christopher Murphy, Angus S. King, Jr., Tina Smith, Jeanne Shaheen, Margaret Wood Hassan, Thomas R. Carper, Laphonza R. Butler, Sheldon Whitehouse, Jack Reed, Robert P. Casey, Jr., Raphael G. Warnock, Chris Van Hollen, Chris Coons, Tim Kaine.

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

The question is, Is it the sense of the Senate that debate on the nomination of Anne Marie Wagner, of Virginia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2029. (Reappointment), shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Utah (Mr. ROMNEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting: the Senator from Florida (Mr. SCOTT) would have voted ''nay.''

The yeas and nays resulted—yeas 55, nays 38, as follows:

[Rollcall Vote No. 209 Ex.]

YEAS—55

Baldwin	Coons	Kaine
Bennet	Cortez Masto	Kelly
Blumenthal	Cramer	Kennedy
Booker	Duckworth	King
Brown	Durbin	Klobuchar
Butler	Fetterman	Lankford
Cantwell	Gillibrand	Luján
Capito	Hassan	Merkley
Cardin	Hawley	Murkowski
Carper	Heinrich	Murphy
Casey	Hickenlooper	Murray
Collins	Hirono	Ossoff
Padilla	Shaheen	Warnock
Peters	Smith	Warren
Reed	Stabenow	Welch
Rosen	Sullivan	Whitehouse
Sanders	Tester	Wyden
Schatz	Van Hollen	
Schumer	Warner	

NAYS—38

Barrasso	Graham	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Rounds
Braun	Hoeven	Rubio
Britt	Hyde-Smith	Schmitt
Budd	Johnson	Scott (SC)
Cassidy	Lee	Thune
Cornyn	Lummis	Tillis
Cotton	Marshall	Tuberville
Crapo	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Paul	

NOT VOTING—7

Cruz	Menendez	Sinema
Manchin	Romney	
Markey	Scott (FL)	

(Ms. CORTEZ MASTO assumed the Chair.)

(Ms. WARREN assumed the Chair.)

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 55, the nays are 38. The motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Anne Marie Wagner, of Virginia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2029. (Reappointment).

The PRESIDING OFFICER. The Senator from West Virginia.

BIDEN ADMINISTRATION

Mrs. CAPITO. Madam President, I rise today to remind the American people that from the day he took office, President Biden and his administration have left much to be desired. As we look to the future, I think it is just imperative that we consider this administration's track record over the last 3½ years.

President Biden's record has made an enormous impact on Americans directly in their wallets—everybody feels it every day—as the people of our country continue to deal with the consequences with this reckless tax-and-spend agenda this administration has championed.

President Biden has long pledged to get a hold of inflation and actually passed the ironically misnamed Inflation Reduction Act that did exactly the opposite. That law, along with other spending sprees passed with only Democratic support, have stifled economic growth.

Though President Biden talks about the middle class, he has failed to actually deliver for them. Truly, as we know, and we have always heard in our lives: Actions speak louder than words. Instead, what we have been dealing with is a continuous impact of an economy that just isn't working. We have out-of-control prices at the grocery store and the gas pump; a housing market that has made homeownership impossible for many families; and for those locked out of the housing market, long-term rent inflation that continues to threaten renters and small businesses.

Just last week, we celebrated a great time in our Nation, our Nation's independence on the 4th of July. And what is normally a joyous time for Americans to come together, instead, became the most expensive Independence Day on record. This follows the most expensive Halloween and the most expensive Thanksgiving, leaving Americans little to celebrate. The cost of a cookout is up 5 percent over last year—5 percent. OK. But it is up 30 percent from 5 years ago. Additionally, gas prices this past weekend averaged $3.50 a gallon, a 27-percent increase from 2019.

Couple those statistics with the June jobs report that showed our country's unemployment rate at the highest it has been at in 2½ years; or that home prices are up a whopping 49 percent since 2020, far outpacing any wage increases anybody has seen; and the Joint Economic Committee's recent report that the average American family has lost $25,920 paying for the increased cost of living under President Biden and his policies.

It is clear to the American people that Bidenomics is not working and that President Biden's economic policies are failing. So this is something I hear frequently about from my constituents in West Virginia, that the savings they worked so hard for and that they have sacrificed to accumulate are dwindling in front of their eyes due to the skyrocketing costs of living under this administration.

There are policies to employ. There are policies that we can shrink and cut, regulations to cut, that would improve our economic standing. But, instead, Bidenomics—named by the President—has severely jeopardized the American dream for millions of people.

Additionally, we have seen immigration surge to the top of the mind for voters. And you always hear, immigration, it is only the States at the border, and why does everybody talk about it? It is a national issue. It impacts every single State.

The Biden administration has proven time and time again that they really have no genuine interest in controlling or closing our southern border or any desire in enforcing the immigration laws that we already have on the books.

President Biden has allowed over 10 million—10 million; that is 5 times the population of my State—10 million illegal border crossings throughout his tenure, all beginning with his decision to rescind the effective immigration policies of President Trump on day one of their administration.

The mass influx of unchecked immigration has led to widespread repercussions and endangered the lives of American citizens and of the migrants

themselves. It has also left the door wide open for individuals on the Terror Watchlist to enter our country, and they have actually been caught at the border—something that is nearly unthinkable in a time of heightened national security concerns, as we are in right now.

I haven't even mentioned—just briefly, I mentioned—the drug crisis that President Biden's border inaction has fueled, as mass amounts of fentanyl stream across our border, endangering the lives of residents in every State, every city, every county of this country.

The bottom line is that addressing the issues at the southern border is something that President Biden actually has the tools to do himself. If he was really serious, he would step in and bring an end to this humanitarian crisis that has developed under his guidance.

Even here, his inconsistent message and leadership is just baffling to me—saying he doesn't have the tools one minute and then attempting to enforce too little too late policy changes the next. He says he doesn't have the tools, and then he announces that he is going to do something using one of the tools he has had for 3½ years.

Perhaps, the most alarming area that President Biden has faltered is on the international stage where his indecision and ill-advised policies have signaled unreliability to our allies and weakness to those who would do us harm. We are living in a time when our Nation faces the most dangerous global threats that we have seen in decades. We have NATO here in town today. It is a big topic of discussion.

Yet President Biden has proven to be a President of weakness, wavering during some of the most tumultuous episodes of our Nation's history.

This display of weakness is best exemplified by President Biden's disastrous withdrawal from Afghanistan. It continued with President Biden suggesting that a minor incursion into Ukraine might not provoke a U.S. or allied response. Next, Iran strung President Biden along on fruitless nuclear talks while the regime was building up their nuclear capabilities and their militias to attack our U.S. troops. And now, most recently, President Biden has thrown our commitments to Israel into question, conditioning aid for our ally during this existential moment.

There is no denying that President Biden's weakness has created a world where our adversaries are feeling emboldened and growing closer together, and that is something we cannot allow to happen—not now, not ever.

It is important to remind the American public that it just doesn't have to be this way. Americans shouldn't be forced to choose between paying rent, putting food on the table, and filling up the gas tank. They shouldn't have to turn on the TV and see the southern border in chaos and continually hear the alarm from our Nation's counterterrorism experts. And Americans shouldn't have to harbor such doubt about our international standing, which has long stood as a pillar of strength and freedom around the globe.

My Republican colleagues and I who are going to speak today are not here to just spectate or to throw stones. We have ideas. And this is why I, along with my Republican colleagues, continue to fight for solutions that reduce taxes and combat the crippling inflation that has become a defining feature of this administration; that put forward policies to bring order to our southern border like reinstating ''Remain in Mexico'' or ending catch-and-release; and to restore American strength on the international stage, reminding both our enemies and our allies of who the United States of America is and always will be.

While these 3½ years of failure of the Biden administration have damaged our Nation, it is certainly never too late to get right back on track. Senate Republicans remain united in our efforts to fight on behalf of the American people and deliver on the priorities that mean the most to them. There is no doubt that the people of our country deserve better.

And with that, I yield the floor.

The PRESIDING OFFICER (Ms. ROSEN). The Senator from Wyoming.

Mr. BARRASSO. Madam President, first, I ask unanimous consent that the following Senators be allowed to speak for up to 5 minutes each prior to the scheduled rollcall vote: Senator HOEVEN, Senator MORAN, and Senator CORNYN, following me.

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

Mr. BARRASSO. Madam President, I rise today to speak about the need for strong American leadership. President Biden's weakness, seen on the world's stage, is dangerous. It is dangerous for our Nation, and it is dangerous for the world. It hurts our citizens, and it encourages aggression against our Nation and others.

Sadly, America doesn't have strong leadership right now from the President or the Vice President. Joe Biden is stumbling, bumbling, blundering into a disaster. It is not one night of forgetfulness on the debate stage; it is 3½ years of a pattern of failures.

We are living in the time of heartbreak at home and humiliation abroad. Look at the drugs, the death, the destruction coming from our southern border.

Under Democratic open border policies, there have been 10 million illegal immigrants who have invaded our Nation. Americans all across the country are in danger. Democrats' open borders allowed Venezuelan criminals to go to Houston, TX, to sexually abuse and murder a 12-year-old girl. Illegal immigrants' crime has taken the lives of many Americans across the country. They make headlines every day.

The open border allows deadly fentanyl to flood our Nation and poison our communities in all of our States, and certainly Wyoming has been one of the victims of this poisoning.

More than 300 terror suspects have come into America. That is 300 percent higher than what we saw under the strong policies of President Trump. And terrorists are roaming our Nation undetected.

Remember, border security isn't optional; it is an obligation, a commitment to the safety of our American people. It is a foundation of our safety. Without border security, there can be no national security.

Under Joe Biden, Americans are not safe at home, and, increasingly, the world is not safe either. President Biden's weakness has invited war; it has invited conflict; and it has invited chaos around the world.

He continues to appease Iran by letting Iran avoid sanctions. Iran is exporting almost 1.3 million barrels of oil to China each and every day. It uses the money from these oil sales to fund terrorism around the world.

President Biden made the misguided assumption that concessions to Iran would stop conflict. Instead, Biden's appeasement makes Iran more aggressive.

Meanwhile, Biden has proven to be a fair-weathered friend to our strong ally Israel. On American college campuses today, student protestors express hostility to the very existence of the Jewish State. Democrats in Washington have also grown more hostile to Israel. Senator SCHUMER stood on the floor—he demanded on this floor in March that Israel replace its Prime Minister. Senator SANDERS called the very next month for America to stop sending aid to Israel.

The anti-Israel rift in the Democrat party is bad enough. What is more worrying is that President Biden, the leader of the free world, lacks the backbone to stand up against it. Rather than resist the pro-Hamas wing of his party, Biden has repeatedly bowed to them. He recently slapped a de facto arms embargo on Israel. The weapons he withheld would limit civilian casualties and help Israel free the hostages. Biden stopped that.

That includes 8 American hostages who spent the last 9 months, including their 4th of July, in captivity by Hamas. President Biden blocked these war-winning weapons anyway. He would rather appease a small group of pro-Hamas voters in Michigan than support our closest ally in the Middle East.

Playing politics is the core of Joe Biden's foreign policy. He recently claimed that no American servicemembers died on his watch. He told the world that. Well, that is false. It is wrong. It is a denial of what happened.

On January 11, 2024, two Navy SEALs were lost at sea during a mission to stop weapon shipments from Iran to Houthi terrorists. Less than 3 weeks

later, January 28, three American soldiers were killed in Jordan by Iranian-backed militias. Then there is the disaster of Afghanistan. On August 26, 2021, ISIS terrorists killed 13 brave American servicemembers. They were the first American military casualties in Afghanistan in a year and a half.

Twenty-year-old LCpl Rylee McCollum of Jackson Hole, WY, was one of them. This was a young man who loved his country and left an impression on everyone he met. He was our home State wrestling champion. He had recently been married. He was about to become a father. Madam President, 1,300 people in Wyoming showed up to attend his funeral. It was outdoors in a tent, 37 degrees, lasted several hours, and no one left because Americans deserve better than a President who forgets the sacrifices of American heroes and forgives the aggression of America's adversaries.

Joe Biden's weakness and confusion are a vivid contrast to what past Presidents have done.

I think of President Ronald Reagan and his successful policy of peace through strength. For 8 years, President Reagan built a strong national defense, he restored America's confidence, and he confronted America's enemies. His approach incredibly ended the Cold War without firing a single shot.

Three decades later, President Trump adopted a similar policy—no more apologizing for America like President Obama had done. We had strong borders. We had a strong military. We had a strong economy. And we had strong American leadership. Our allies respected us. Our enemies feared us. We were safer. It is time for America to return to that approach.

The truth is that Joe Biden is a President who cannot defend his record and cannot defend this Nation. For the safety of our Nation, we need a lot less of Joe Biden's weakness and a lot more peace through strength. That is what we need to do. That is the way we get America back on track.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

VETERANS HEALTHCARE

Mr. MORAN. Madam President, it was just a few weeks ago that I stood in this position on this floor and raised concern about how the Biden administration was undermining the law and restricting the ability of veterans nationwide to get healthcare closer to home.

Since then, 19 of my Republican colleagues have joined me in calling on the Biden administration to quickly reverse course and to lift these restrictions on community care that they have put in place, to the detriment of many of America's veterans.

One of those veterans, in my home State of Kansas, is Myca. Myca is an Air Force veteran and a single mother and a community leader. She does not have health insurance, and she relies upon the VA to help her manage her autoimmune disorder and many other health issues.

Myca lives about an hour from the closest VA clinic, which is small and has a limited amount of services, and she lives more than 3 hours from the nearest VA medical center.

In her own words, she said:

> I don't know what my health would be like or where I would be if I did not have my VA healthcare benefits in the community.

Congress passed and President Trump signed the MISSION Act 6 years ago to expand and protect the right of veterans to seek community care. Community care offers veterans across the country—and is particularly useful in States like many of ours that are so rural, certainly in States like mine—a much needed lifeline.

Often, it is the distance that causes a veteran to choose that he needs or she needs care in the community. Sometimes, it is expertise and specialty. However, in all instances, the Department of Veterans Affairs is making it harder for veterans like Myca to get the care they are entitled to under the law in the community.

In President Biden's administration, community care has come under attack, and veterans—many of them—are paying the price. In January, the Department's Under Secretary for Health commissioned an outside panel to examine community care spending. After being provided with select data and briefings, the panel recommended that VA save money by, among other things, reducing community care referrals for veterans seeking emergency, oncology, and mental health care.

There is not enough mental health care anyplace in the country. How could we restrict—why would we restrict, why would the VA restrict—access to mental health care in the community? These veterans are among our most vulnerable and high-risk veterans in the VA patient populations.

Since those recommendations were issued in the spring, veterans have been reaching out to me. As I have indicated on the floor before, many of the things I know about what is going on in veterans' lives come by the conversations I have with veterans or my staff has with veterans or phone calls, emails—the suggestion that something is not right in the way the VA is caring for a veteran. It often ends up in casework, and we try to solve the individual problem for the individual veteran.

We also ought to solve the system problems, and this is one that is now systematic. It is not the circumstance that an individual veteran is uniquely being denied care in the community. It has become a systemwide effort to reduce the opportunities veterans have to access care in the community.

I am sure my colleagues—Republicans and Democrats—if they talk to their caseworkers, our staff, people who deal with veterans' issues, you will see the same thing is happening in your community with your veterans.

Most recently, I spoke about this on the floor when it turned out the VA had denied a cancer patient the last two cancer treatments where he has received the first 58 but was told he had to return to the VA—more than an hour away, to the VA hospital—to receive the 59th and 60th cancer treatment.

And, most recently, I think if you would check with the folks in your offices who know these things—and I would guess many of my colleagues have heard this themselves—time and time again, someone who has had chiropractic care in the community is being denied the opportunity to continue to see their chiropractor and told: No, if you are going to have chiropractic care, you must have it at the VA hospital.

We are also hearing, beyond our own constituents, from whistleblowers within the VA, people who work at VA medical facilities, and they are telling us—they are telling me—that they are facing increasing pressures from the VA leaders to keep veterans in VA medical facilities, whatever the choice is of the veteran.

Incidentally, at the same time, the VA has actively indicated they are going to reduce the number of employees at the Department of Veterans Affairs, working in VA medical centers, by 10,000.

I am grateful to my colleagues who join me in opposing these policies, and I appreciate that effort.

Let me take this step with just a little bit of history. At a point in time, not too many years ago, we had veterans dying within the VA system because they couldn't access the care. Phoenix comes to mind. And, as a result, Congress responded and passed the Choice Act.

The Choice Act said: If you live a certain number of miles away from a VA hospital—a VA facility—you can access care at home with your own physician, your own hospital.

The VA was very reluctant, very reticent, and very difficult in the implementation of the law passed by Congress and signed by the President. And so we tried it again with the MISSION Act, a few years later. And one of the main provisions of the MISSION Act says that if it is in the interest of a veteran, he or she can have care where they choose to have it. And the best care of the veteran is defined not by the VA. Let me say that more clearly. The best interest of the veteran is not defined by the Department of Veterans Affairs but by the veteran and his or her healthcare provider.

So the choice under the law rests with the veteran, not with the VA, and yet the VA is once again undermining the law and trying to make certain that those choices that a veteran, he or she, can make are not made by the veteran but made by the Department of Veterans Affairs.

The veteran who wants chiropractic care at home, who has seen the same

chiropractor for years, is told: No, we don't care what you want; we want to do it our way.

These policies are very damaging and could put us back in the same position in which the life and well-being of veterans across the country are impacted, are affected, and damaged.

I would again ask, along with my colleagues—which I hope is much broader than just a Republican set of colleagues; I hope my Democratic colleagues and my Republican colleagues—I hope all of us will insist that the Biden administration follow the law.

It used to be that Republicans and Democrats came together when an executive branch decision was made that intruded upon the legislative branches' lawmaking authority.

We need to get back to the days that, whether it is a Republican administration or a Democratic administration, if they are not following the law, they are not following what Congress has told them do, and we ought to all object. And we certainly ought to object to what the Biden administration is doing at the Department of Veterans Affairs to restrict the capabilities of people who are making choices—those who served our country who are making choices that this is in their best interest. And we don't need the Department overruling a choice about that decision.

I hope we will work together. I hope the Department of Veterans Affairs will change its ways. In the meantime, I am worried about veterans across Kansas and across the country whose decisions about their own well-being are undermined by those who decide something better is for them.

Let's let our veterans, who served our country, make a choice in consultation with their healthcare provider about what makes the most sense. Sometimes it is miles. Sometimes it is quality of care. But that choice, regardless, ought to be made by the veteran.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

BIDEN ADMINISTRATION

Mr. HOEVEN. Madam President, today, I join my colleagues in outlining more than 3½ years of policy failures under President Biden, which are impacting families and businesses across the country every single day. From our economy to our Nation's security, Americans can feel the weight of this administration's decisions, leading to a higher cost of living and less safe communities—things that impact people every single day.

I will begin where individuals most frequently feel those impacts: their pocketbook. Biden's inflation is hurting every American, particularly low-income Americans. For example, Americans are paying more for energy because President Biden has sought to block or restrict access to our Nation's vast energy reserves.

On day one of his administration, President Biden blocked the Keystone XL Pipeline and placed a moratorium on new oil and gas leases shortly thereafter.

Then, President Biden and congressional Democrats doubled down, passing a partisan tax-and-spend bill that included a new natural gas tax and higher fees and royalty rates on Federal energy production.

Just recently, the Interior Department's Bureau of Land Management finalized a new public lands rule, enabling radical environmental groups to lock away more of our energy reserves under a so-called conservation leasing plan. The BLM also finalized a new onshore oil and gas rule and a new venting and flaring rule.

In my State of North Dakota, BLM is proposing to close off leasing on 45 percent of Federal oil and gas acreage and 95 percent of Federal coal acreage. BLM's failed stewardship of our energy resources extends to other States as well, including the blocking of new oil and gas production in the National Petroleum Reserve in Alaska.

Each of these actions are specifically designed to drive up the cost of energy production on Federal lands, and these costs are ultimately passed along to consumers. Today, Americans are paying 46 percent more for gasoline at the pump. And, at the same time, utility bills are also rising and outpacing inflation.

The Environmental Protection Agency's latest onslaught of new power sector regulations will require utilities to spend billions of dollars to comply with burdensome regulations or, worse, force the premature retirement of reliable, coal-fired baseload powerplants that our Nation needs.

Independent grid operators from across the country are warning that EPA's regulations will threaten reliability and increase the risk of blackouts and brownouts.

Americans can no longer afford to pay more for less reliable energy following 3½ years of President Biden's failed Green New Deal.

That is why we need to take the handcuffs off our energy producers and empower them to increase supply and bring down prices for hard-working American families.

Now, in addition to discussing President Biden's failures on inflation, the economy, and energy production, I want to, again, bring the crisis taking place at the southern border to everyone's attention.

We are nearly through fiscal year 2024, and the consequences of President Biden's failed border policies are becoming clearer every single day. The American people are seeing beyond the administration's false claims that the border is secure. Every day, there are new reports of horrific crimes being committed by individuals illegally in the United States, and these violent crimes continue to be perpetuated in every State.

Local and Federal law enforcement officials have confirmed that the Tren de Aragua—I may not have said it just right, but this is a transnational criminal gang that originated in a Venezuelan prison. I am going to repeat that. A transnational criminal gang that originated in a Venezuelan prison is now present and operating in the United States. Think about that. Their activities in the United States include human and drug trafficking as well as assaults and the murder of police officers.

In addition, there is now an increased threat from dangerous elements illegally entering the United States who have direct ties to international terrorist organizations like ISIS. Just last month, ICE arrested eight Tajikistan nationals with potential ties to ISIS, who illegally crossed the southern border and have been living in the United States. Now, let that sink in for a minute.

At our port of entry and all along the border, we continue to see high numbers of individuals on the Terror Watchlist who are attempting to enter the United States. So far, in fiscal year 2024, we have seen 316 individuals attempt to enter the country.

FBI Director Wray said it himself:

> We are seeing a wide array of very dangerous threats that emanate from the border.

The cause of these threats to our homeland is clear: President Biden's failure to secure the southern border. President Biden's failure to secure the southern border.

The American people suffer the consequences because the Biden administration refuses to enforce policies that protect our southern border. These policies were put in place by the Trump administration. They are the Migrant Protection Protocols, or ''Remain in Mexico'' policy; enforcing third safe country agreements; and resuming construction of the border wall.

The Biden administration must address this border crisis, enforce the laws that kept monthly encounters to the lower numbers that we saw under the Trump administration, and take border security very seriously, deadly seriously, because border security is national security.

Altogether, all these issues—whether it is safety, whether it is inflation—all of these things affect Americans across this entire country every single day. After nearly 4 years of policy failures, our country needs to get back on the right track: bring down inflation, strengthen our economy, and address the border and national security and safety in our communities. That is exactly what my colleagues and I are working every day to accomplish.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, over the last 3½ years, President Biden's policies have unleashed a series of crises, one after another, and have thus made the lives of average Americans harder, not easier.

There is a security crisis at the border that my colleague from North Dakota talked about a moment ago—rising crime rates across our communities, some of which come from gang members who transit our southern border and then go on to commit crimes of violence against innocent Americans all across the country; the drugs that took the lives of 108,000 Americans last year alone; and then America's weakening role on the global stage.

I believe there is a reason why the threats that confront our country and world peace are at the greatest level they have been since World War II. It is because the tyrants, the autocrats, the dictators—the people like Vladimir Putin, President Xi in China, Kim Jong Un in North Korea, and the Supreme Leader in Iran—perceive weakness, and weakness for them is a provocation; it is an invitation for them to take action and threaten stability and peace.

President Biden's policies have made Americans' lives harder, not easier. Nowhere is that more evident than in the high prices that are clobbering family budgets. I know the occupant of 1600 Pennsylvania Avenue is doing just fine. He is not feeling the impact of higher prices at the gas pump, at the grocery store, in rent, and all across our economy. It doesn't affect him, and it doesn't affect many of us, but for people on a fixed income and people who are of lower income—seniors, retired individuals—it is degrading and undermining their standard of living and their quality of life.

Since President Biden took office 3½ years ago, consumer prices have risen on average 20 percent. That means a dollar that you spent on consumer products—whatever they may be—3½ years ago now only buys 80 cents' worth of value. That is a hard leap for many families to absorb, and for those living on fixed incomes or tight budgets, it is virtually impossible. Families are paying 21 percent more for groceries, 41 percent more for energy, and 54 percent more for gasoline. When you add in price hikes on clothing, car insurance, and even a visit to the dentist, you are looking at a mountain of expenses that cost more today than they did when President Biden took office.

America has experienced a 40-year high in inflation as a result of the reckless spending policies of the Biden administration's by throwing $2.7 trillion of reckless partisan spending on the fire of inflation, making it much, much, much worse. Of course, then the Federal Reserve has to try to raise interest rates, which they have done, in order to dampen that fire, in order to put out the fire. But that doesn't erase the fact that American consumers—our constituents—have experienced a 20-percent increase in their cost of living across the board.

An average household in the State of Texas is spending more than $1,000 a month more today than they did 3½ years ago. That is more than $12,500 a year. Texans don't need that sort of data, though, to know that their lives have been impacted negatively, because they have felt the impact themselves for 3½ long years. They have seen the effect of Biden's policies reflected in their bank accounts and on their credit card statements.

Credit card debt is at one of the highest levels it has been in all time. People who can't meet their monthly bills, if they have access to a credit card, may likely charge it and say, ''Well, I am trying to get by today by borrowing on my credit card,'' but of course they end up having to pay that back as well at some point. Meanwhile, they are charged a lot of interest costs, which, again, increase their cost of living.

Many Americans have scrapped family vacations and have settled for more affordable, local activities. Sometimes it is a matter of convenience. Sometimes it is a matter of life or death, such as deciding whether to fill a prescription or pay your air-conditioning bill.

I can tell you, right now, in the wake of Hurricane Beryl, many Texans are without electricity and are experiencing 100-degree heat and 99-percent humidity.

Many Americans who can't afford to pay their utility bills are having to cut back on things like air-conditioning. Many people, during the heat of the summer, particularly vulnerable Americans and the elderly, are suffering as a result.

What is President Biden's response when you raise these criticisms? It is to say: Well, it is somebody else's fault. He tries to blame his predecessor for the sticker shock that Americans are experiencing on a daily basis.

A couple of months ago, President Biden claimed that inflation was at 9 percent when he took office. Now, that is not the only time that President Biden has misstated the facts. It might be a compelling point if it were actually true. When President Biden took office, inflation was only at 1.4 percent, and under his leadership, inflation has soared to a 40-year high of more than 9 percent.

Fortunately, thanks to the policies of the Federal Reserve, which are painful enough because they raise interest rates, which costs consumers more on the debt they owe on their vehicles or when they buy a house, inflation has slowed, but high prices remain.

President Biden's policies have sent prices through the roof, and that is where they have stayed. No matter what the level of inflation is currently, those high prices are cumulative, and with election day less than 5 months away, voters are asking themselves a very important question: Has my life gotten better or worse since President Biden took office?

Thanks to President Biden's policies, families are struggling to cover the costs of gasoline, groceries, rent, insurance, and just about everything else, and high interest rates, which are a result of the Federal Reserve's tightening of access to credit, continue to make dreams like owning a home or opening a small business out of reach for many Americans.

As I said, Texans are now paying more than $1,000 per month more thanks to President Biden's policies. If President Biden manages to win another term in the White House, I worry about how much higher my constituents' monthly bills will continue to climb.

I yield the floor.

VOTE ON WAGNER NOMINATION

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

Mr. WHITEHOUSE. Madam 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. MARKEY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Vermont (Mr. SANDERS), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Oklahoma (Mr. MULLIN), the Senator from Utah (Mr. ROMNEY), and the Senator from Florida (Mr. SCOTT).

Further, if present and voting: the Senator from Florida (Mr. SCOTT) would have voted ''nay.''

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

The result was announced—yeas 55, nays 37, as follows:

[Rollcall Vote No. 210 Ex.]

YEAS—55

Baldwin	Hassan	Peters
Bennet	Hawley	Reed
Blumenthal	Heinrich	Rosen
Booker	Hickenlooper	Schatz
Brown	Hirono	Schumer
Butler	Kaine	Shaheen
Cantwell	Kelly	Smith
Capito	Kennedy	Stabenow
Cardin	King	Sullivan
Carper	Klobuchar	Tester
Casey	Lankford	Van Hollen
Collins	Luján	Warner
Coons	Manchin	Warnock
Cortez Masto	Merkley	Warren
Cramer	Murkowski	Welch
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Fetterman	Ossoff	
Gillibrand	Padilla	

NAYS—37

Barrasso	Graham	Risch
Blackburn	Grassley	Rounds
Boozman	Hagerty	Rubio
Braun	Hoeven	Schmitt
Britt	Hyde-Smith	Scott (SC)
Budd	Johnson	Thune
Cassidy	Lee	Tillis
Cornyn	Lummis	Tuberville
Cotton	Marshall	Vance
Crapo	McConnell	Wicker
Daines	Moran	Young
Ernst	Paul	
Fischer	Ricketts	

NOT VOTING—8

Cruz	Mullin	Scott (FL)
Markey	Romney	Sinema
Menendez	Sanders	

The nomination was confirmed.

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

LEGISLATIVE SESSION

REPRODUCTIVE FREEDOM FOR WOMEN ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and resume consideration of the motion to proceed to S. 4554, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 420, S. 4554, a bill to express support for protecting access to reproductive health care after the Dobbs v. Jackson decision on June 24, 2022.

The PRESIDING OFFICER. The junior Senator from Mississippi.

FARM BILL

Mrs. HYDE-SMITH. Madam President, we are now well into the month of July and less than 3 months away from the current Farm Bill extension expiring. As such, I would like to bring renewed focus on the framework proposed by my colleague and Ranking Member of the Senate Agriculture Committee. I commend my friend Senator BOOZMAN from Arkansas for presenting us with a framework that answers the call of farmers, ranchers, stakeholders, and taxpayers across the country.

For the greater part of 2 years, we have heard time and time again from those who elected us to be here: ''In the next Farm Bill, Congress must''—and these are some of the things they say we must do: Strengthen the farm safety net—ARC, PLC, disaster assistance, and crop insurance, among other important safety net mechanisms; enhance conservation programs, especially those designed for our working lands, such as the CSP and EQIP programs; provide greater opportunities for U.S. agriculture in the global marketplace; ensure that our domestic food assistance programs serve as a hand up and not a handout; offer better access to credit and financing, particularly for young and beginning farmers; dedicate adequate resources to our rural communities, which are built around agriculture; invest more in agricultural research, in which America is currently lagging behind our competitors and adversaries, despite having the brightest minds in the world and a storied history of innovation; modernize existing policies pertaining to forestry, energy, and horticulture among many others. In short, put more farm in the Farm Bill.

The farm bill framework released by our Senate Agriculture Committee ranking member would achieve all of these things and in a bipartisan, fiscally responsible manner.

It is our responsibility in Congress to listen to those who know best about what they need to make a living so they can continue to feed our Nation and the world. When the Subcommittee on Commodities, Risk Management, and Trade conducted a hearing last year on producer perspectives of the farm safety net, a producer described the current farm safety net as being ''two inches above the concrete.'' That is insufficient in today's farm economy, where producers face extraordinary volatility, historic inflation, record high input costs, catastrophic natural disasters, and geopolitical tensions that disrupt markets.

Times are changing. New challenges and threats to rural America emerge every day. This is why Congress revisits this important multiyear legislation: to keep what is working, fix what is not, and eliminate what is no longer necessary.

I commend the House Agriculture Committee for advancing a strong, commonsense farm bill proposal out of committee, and I commend our Senate Ag Committee chair for all of her efforts throughout this process.

But the bottom line is it takes time to move away from partisan disagreements. It is time to do that and, instead, work on finding common ground. It is time to graduate from concepts and proposals and, instead, start advancing actual legislation. Simply put, it is time for Congress to enact a new farm bill, one that our farmers, ranchers, and rural America have been asking for, for quite some time.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Arkansas.

REMEMBERING JAMES M. INHOFE

Mr. BOOZMAN. Madam President, it is with a heavy heart that I come to the floor to pay tribute to former Oklahoma Senator Jim Inhofe, a dear friend who honorably served the people of the Sooner State.

Senator Inhofe led a life of public service, first as a soldier in the U.S. Army and then in several other roles in elected office at all levels of government. It was evident how much he truly loved leading and representing his community, the people of Oklahoma, and our country.

I had the honor and privilege of serving with Senator Inhofe and developing a relationship based not just on our shared responsibilities and interest but also on our faith and our values. We originally met when I was a Member of the House of Representatives and had the opportunity to join one of his congressional delegation trips.

As someone I grew to deeply respect and admire, his encouragement for me to run for the Senate was a very important part of why I chose to launch the campaign, and I consider it a blessing that I got to work alongside Senator Inhofe for 12 years together in this Chamber.

He was a leader on the Senate Environment and Public Works Committee when I was a junior member, and I learned so much from simply observing him. But he was also gracious enough to view me as a partner.

A decade ago, I invited the Senator to Fort Smith, AR, my home town, a community bordering Oklahoma, and he took me up on the offer. Our States are neighbors.

So, naturally, we worked together on a number of initiatives. Those included advocating for infrastructure improvements, such as the McClellan-Kerr Arkansas River Navigation System and a future interstate designation from U.S. Route 412 in Arkansas to I–35 in Oklahoma, and the list goes on and on and on.

I often cited Senator Inhofe's leadership on the EPW Committee as a great example of bipartisanship. He and his counterpart, former California Senator Barbara Boxer, came from very, very different backgrounds and had different beliefs but found common ground and accomplished truly remarkable feats, like rewriting a chemical safety law and crafting the first long-term highway bill in a decade. That simply was not moving. Both of them had a tremendous sense of responsibility regarding infrastructure and believed very strongly. So they were able to overcome their differences and do what many felt like couldn't be done.

Another thing I learned about him while traveling together was that he maintained a very, very rigorous schedule while on congressional delegation trips—in fact, in every facet of his life. And they were usually whirlwinds. And there was more than one occasion when he set out on a morning power walk and only find his way back to the group—he is like me; he had no sense of direction at all—with the help of landmarks and locals who probably had no idea he was an influential statesman and dignitary.

I truly enjoyed traveling with him on multiple codels as we met so many American troops serving abroad, while learning more how to better support their needs and missions defending the interests of our country.

Knowing Senator Inhofe at all meant you understood that he and his wife Kay had a very special marriage, a very special relationship. They filled their home with love and family, and those priorities informed everything he stood for.

My wife Cathy and I will be forever grateful for Jim and Kay's friendship. Our prayers are with Kay and the entire Inhofe family as they honor the life and legacy of their beloved husband, father, and grandfather.

Senator Inhofe was someone that my former coach at the University of Arkansas Frank Broyles would describe as a giver, not a taker. There is no better compliment that we can pay him than that.

May he rest in eternal peace with our Lord and Savior.

And with that, I yield the floor.

The PRESIDING OFFICER. The junior Senator from Hawaii.

UNANIMOUS CONSENT AGREEMENTS

Ms. HIRONO. Madam President, I ask unanimous consent that the following Senators be recognized to speak prior to the scheduled rollcall vote: Hirono for up to 10 minutes, Stabenow for up to 5 minutes, Klobuchar for up to 10 minutes, Murray for up to 5 minutes, and Schumer for up to 5 minutes.

Further, I ask unanimous consent that the mandatory quorum call with respect to the cloture vote on the motion to proceed to Calendar No. 420, S. 4554, be waived; finally, that the cloture motion with respect to the Kiko nomination be withdrawn and, at a time to be determined by the majority leader in consultation with the Republican leader, the Senate vote on confirmation of the Kiko nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The junior Senator from Hawaii.

REPRODUCTIVE FREEDOM FOR WOMEN ACT

Ms. HIRONO. Madam President, after Dobbs came down, we worried about what a post-Dobbs America would look like. Would other reproductive freedoms be attacked and stripped away, piece by piece, across the country? Now, 2 years later, we know the answer is yes.

In Dobbs, the Supreme Court ''return[ed] the issue of abortion'' to the States and eliminated a constitutional right women in our country had relied on for nearly 50 years.

We often refer to the States as laboratories of democracy. Sadly, these laboratories are now experimenting on women with dystopian results. This hellish experimentation has resulted in devastating consequences for women and families across the country who are now subject to State-imposed abortion bans.

As a result of over 20 States enacting abortion bans—some without exception for rape or incest—women all over our country are being forced to travel far distances for abortion care or, worse, to continue pregnancies regardless of the risks. Their stories are horrifying—stories like that of Kate Cox, a mother of two in Texas whose pregnancy was threatening her life and her ability to have more children in the future.

Despite her deteriorating physical condition, Texas officials ruled that she wasn't sick enough to get an abortion, forcing her to travel out of State to receive the lifesaving care she needed.

While Kate has the ability to travel, so many other women in her condition do not and are forced to suffer the unimaginable consequences of Republican's obsession with power and control.

What is more, healthcare workers in States with abortion bans are living under a constant threat of criminal prosecution. When patients in States with abortion bans present with signs of a miscarriage, doctors are unable to provide emergency treatment—going against their legal and professional duty of care and years of expert training. As a result, many of these providers are fleeing their practices, contributing to reproductive healthcare deserts all across the country.

The cruelty of Dobbs has also resulted in an increase in infant mortality in States with abortion bans, as women are forced to carry fetuses with fatal birth defects to term.

Let's be clear. Abortion bans aren't about protecting anyone. They are about the right's obsession with power and control, plain and simple.

But while Republicans continue their march toward a nationwide abortion ban, they refuse to be honest with the American people. Time after time, Republicans have come to this floor insisting that they support women's health, only to turn around and vote against bill after bill that would do just that. Despite their rhetoric, they voted en masse against the right to contraception, the right to IVF, and have consistently blocked any effort in this Chamber to protect women's fundamental rights. But still my Republican colleagues insist they stand with women.

Today, they have the opportunity to put their money where their mouths are. The Reproductive Freedom for Women Act is straightforward. It simply expresses support for protecting access to reproductive health care. The bill is one-page long and does not codify Roe or enact any policy changes.

This should be a no-brainer for anyone who actually supports women and our right to control our own bodies. But if past is prologue, it is safe to say Republicans will vote against this bill today, only to insist tomorrow that they are the party of freedom. Give me a break.

Democrats, meanwhile, are determined to restore, protect, and strengthen reproductive rights, and we will not stop fighting until we succeed in this. That is why today I am proud to stand with my fellow Democrats in voting for the Reproductive Freedom for Women Act to support reproductive rights and health care for all.

I yield the floor.

The PRESIDING OFFICER (Ms. BUTLER). The Senator from Michigan.

Ms. STABENOW. Madam President, I am really proud to be joining the senior Senator from Hawaii and other colleagues who will be coming to the floor to talk about such an important topic and bill as the Reproductive Freedom for Women Act.

We know that for 50 years, Roe v. Wade protected our freedom to make our own healthcare decisions, and then 2 years ago, it was gone. I can't believe that today's young women, including my daughter and granddaughters, have fewer freedoms than their mothers and their grandmothers did.

Frankly, we are furious in Michigan. Do you want to know just how furious? Well, in Michigan, we turned our anger into action, and in November of 2022, we had the largest voter turnout for a midterm election ever. One of the measures on the ballot enshrined a right to reproductive freedom in our Michigan Constitution. It passed by a strong 13-point margin because Michiganders understand that healthcare decisions should be made by individual women—not by judges, not by politicians.

By the way, we hear all the time on the other side that it is a debate between, should it be Federal politicians or State politicians? Neither. Neither. This is about individuals having the freedom to make their own healthcare decisions. I can't believe we have to debate this in 2024 in America, but a lot of folks just haven't gotten the message yet.

Today, 22 States now have near total bans or severe restrictions on abortion services, and that means one out of three women now lives under an extreme or dangerous abortion ban. We know who is to blame for this because they brag about it all the time: Donald Trump and the MAGA Republicans.

Since the fall of Roe, Republicans have continued their assault on access to contraception, on IVF, a choice for those who desperately want a baby and need some additional help from science to help make that happen, to severe and total restrictions on abortion services.

Unfortunately, MAGA Republicans want total control of our lives and total control of our fundamental freedoms. Last month, Democrats acted to protect these freedoms for women. Unfortunately, every time we brought bills to the Senate floor, Republicans blocked them, and unfortunately, we know they won't stop there. We know that the Republican Party, if they have their way, will create a national abortion ban, which means Michigan's constitutional protections that people worked very hard to achieve—hundreds of thousands of signatures, working hard, voting to put this protection for our freedoms into the Michigan Constitution—will all be ripped away if that happens.

Imagine what this would mean for a woman who learns that the pregnancy she desperately wants is not viable and her own life is at risk. This is actually happening, unfortunately, all the time right now in the States that have severe restrictions.

I will never forget hearing a woman talking about her own experience of being told she wasn't close enough to death to get care in the emergency room. She had to go and sit in her car until she was so close to death that they felt they could treat her.

Doctors are now talking to their attorney before they are talking to other doctors or women and their families and so on. We are seeing so many things happen—so many things now. We have already seen one study showing in Texas that there has been an 8-

percent increase in infant mortality. That means children don't live until their first birthday because something has happened. So who decides what happens to someone in that situation—the woman, supported by her family and her doctor, or a rightwing Supreme Court and Republicans in the U.S. Senate or any other elected body?

Today, we have an incredibly important vote. It will tell us where every single Member of this Chamber stands. Do you think women should have the basic freedom to make decisions about our own health—that anyone should have the freedom to make decisions about their own health? It is as simple as that.

We know where we stand. We are working every day to defend our freedom to make decisions about our own healthcare; to make sure that it is not a politician, that it is not a judge; that it is women, their faith, their families, their doctors; that people who are directly involved are making those decisions.

The women of this country should have the freedom to make our own decisions about our own healthcare, our own lives, and our own futures. That is what this vote is about. And we are not going to give up until we have those freedoms fully protected.

I would urge colleagues to pass the Reproductive Freedom for Women Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

MS. KLOBUCHAR. Madam President, I join my colleague from Michigan and all of the other Senators who have spoken out on this topic today to say that now is the time to protect women's reproductive freedom. I thank Leader SCHUMER for organizing this group of Senators, and I thank Senator MURRAY for her work on this. I thank you as our newest Senator for being part of this.

A few weeks ago, America marked 2 years since the Supreme Court overturned half a century of precedent and stripped away every woman's right to make her own healthcare decisions, going against the 70 to 80 percent of Americans who believe that this decision should be made by a woman and her family and her doctor and not by politicians. No, they don't want our colleagues sitting in the waiting room.

In the wake of that disastrous decision, women across the country remain at the mercy of a patchwork of State laws that are creating chaos when it comes to accessing reproductive health care. Today, 22 States have passed laws that fully or partially ban abortion, and one-third of women of reproductive age live under extreme and dangerous bans.

For instance, just 2 weeks ago, in our neighboring State of Iowa, right below Minnesota, the State supreme court allowed a 6-week abortion ban to take effect. You couple that with what has gone on in South Dakota and North Dakota, and you understand why, in Minnesota, clinics have moved across the border. That is what is happening in every State in this Nation right now.

In States across the country, women are also being forced away from emergency rooms and left to travel hundreds of miles for healthcare.

I think of the woman in Oklahoma who was told that she needed to wait in the parking lot until she was much sicker or, as the doctor put it, ''on the verge of a heart attack.''

I also think of the woman from Louisiana who was turned away from two emergency rooms during a miscarriage because the doctors feared prosecution for providing care under stringent abortion laws.

I don't think any of us will ever forget the heartbreaking story of the 10-year-old girl in Ohio who had to go to Indiana in order to get a legal abortion after she was raped—a 10-year-old girl. People didn't believe the story. Remember that? And then it turned out it was completely true. They said it was a hoax. It wasn't. It is what is happening right now in America.

Doctors are being threatened with prosecution for doing their jobs, and access to fertility treatment is at risk for families who are desperately trying to get pregnant.

Like many of my colleagues, I did a series of Fourth of July parades over the last week. I think I did eight of them. In nearly every parade, someone came up with their child—a little baby, sometimes more grown up—and said: She wouldn't be here, he wouldn't be here without IVF.

But right now, all of those things that we have expected for so long are at risk—access to contraception, access to abortion drugs that are safe in dozens of countries. While the Supreme Court gave us a temporary reprieve in the mifepristone case, we know that a number of other States are now gearing up to bring similar lawsuits because that was just thrown out based on a legal requirement, a legal standing for who could bring the case, not actually on the merits.

This is our current reality, but it doesn't have to be our future. This is a pivotal moment for America. Are we going to move forward and protect freedom, which has long been a hallmark of our Nation, or are we going go further backwards in history? Not just to the 1950s but to the 1850s.

The Supreme Court's decision threatens women's health and freedom no matter where you live in this country, and it demands a swift response. All three branches of government have a responsibility to protect people's rights, and if one branch doesn't do its job, then it is up to another to step in. That means it is on Congress to codify Roe v. Wade into law.

Every American woman should be able to get the care she needs without navigating unnecessary bans, and the choice of whether and when to start a family should be just that.

While we are here today, I also see Senator MURRAY is on the floor, and I want to thank her for organizing yesterday's group of speakers on important legislation related to reproductive freedom.

In addition to codifying Roe v. Wade into law, we need to pass other commonsense measures, like my bill, the UPHOLD Privacy Act, which we tried to move forward, thanks to Senator MURRAY, yesterday. Unfortunately, it was blocked. This bill sets limits on how companies can use people's health data. This is particularly important following recent troubling reports of companies collecting and sharing data related to reproductive health care.

Just this year, we learned that a company allegedly tracked people's visits to nearly 600 Planned Parenthood locations across the country and provided that data for an anti-abortion ad campaign. That is just wrong. No one can believe that it is happening today in America, but it is. With a woman's right to reproductive care under attack, it is even more dangerous. That is why enacting commonsense limits on how companies can use people's personal data is so critical right now.

All of this comes down to one question: Who should get to make personal healthcare decisions for women—the woman herself with her doctor, in a family consultation, or a politician whom she is never going to meet and who isn't going to be looking out for her?

To me, the answer is clear. As our country enters its third year without Roe v. Wade, I continue to stand with my colleagues in the fight for reproductive freedom.

We stand on the side of the American people who have come together, time and time again—in Kentucky, where they voted for a Governor who is standing up for reproductive healthcare; in Kansas—in the middle of the prairie, where no one expected it—the first real test of this, where Democrats and Republicans voted on the side of freedom; in Ohio, in a referendum, where, by 11 points, the people of Ohio stood up for freedom; or in the legislative races in Virginia or in a congressional race on Long Island or in the Wisconsin Supreme Court race. The message is clear as to where the American people are. This isn't about red States or blue States. Think of the States I just listed. This is about freedom.

So we refuse to back down. We refuse to give up. We refuse to settle for a reality in which our daughters have fewer rights than their mothers and grandmothers. This may be our reality right now; but, colleagues, it does not have to be our future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, today, we are going to vote on a bill that offers a simple statement of values: Do you support a woman's freedom to make her own healthcare decisions?

For the vast majority of Americans, the answer is yes—without question. We know that because the American people have been speaking out loudly and repeatedly and at every opportunity to oppose Republicans' extreme abortion bans.

The record here is remarkable and unmistakable: Since Trump and Republicans succeeded at overturning Roe v. Wade and ripping away a constitutional right from our daughters and granddaughters, every single time abortion rights have been on the ballot, abortion rights have won—every time.

But the American people have not just been speaking with their own votes; they have been using their voices and sharing their own, personal stories of the nightmares that Republicans' abortion bans have put them through: women denied medical care for a miscarriage because of abortion bans; women turned away from hospitals because their doctors' hands were tied until they lost over half their blood, until their husbands found them unconscious on the floor, until the only option was an emergency hysterectomy or, tragically, until it was simply too late; children who couldn't get abortion care after being raped; a teenager delivering a baby, while clutching a teddy bear, being forced through a pregnancy by Republican politicians.

This isn't some dystopian prediction. This has all happened recently in the United States of America because of Donald Trump and Republicans' anti-abortion extremism.

Just last month, The New York Times profiled the story of one mother in Idaho who woke up with heavy bleeding in her 20th week of pregnancy. She was leaking amniotic fluid. She went to the emergency room. She was told there was nothing they could do to help. ''Sorry.'' Because of Idaho's extreme abortion ban, it meant that any doctor who gave her the abortion care she so desperately needed would be risking the loss of his medical license and jail time and heavy fines. The best they could do was give her an emergency flight to another State. And when she arrived, nurses remembered her saying: I just need to stay alive so I can be around for my two other kids.

That same hospital in Idaho has already had to airlift six pregnant women out of the State for emergency abortion care this year. That is just one hospital in one State and one horrific variation of the many nightmares that are happening on loop across the country as a direct result of the Republicans' abortion bans.

I am going to keep saying it: A forced pregnancy does not have to make headlines to make someone's life a living hell.

This is not an issue that Republicans can run away from no matter how much they try to.

Donald Trump—a convicted felon and a liar—is trying to tell us he doesn't know anything about Project 2025. That is the playbook that has been written by some of his top advisers for him. He may as well be saying he has no idea who named Trump Tower. We all know Donald Trump ended Roe v. Wade. We all know Republicans championed that for decades, and we know that Trump will absolutely ban abortion nationwide.

Republicans do not get to pretend they support the health of the mother while ignoring the horror stories happening today across the country and urging the Supreme Court to rule against ensuring abortion is available in emergencies.

Republicans do not get to pretend that they support IVF and birth control while championing a national fetal personhood bill and voting down bills to protect the right to IVF and birth control.

Republicans do not get to pretend they only want State politicians controlling women's most personal decisions while supporting national abortion bans, including the fetal personhood bill I just mentioned; supporting efforts to strike down access to medication abortion nationwide; blocking efforts to protect women who might travel out of State for care; and even blocking protections for doctors in States like mine where abortion is legal.

I cannot stress enough how transparently unserious it is for Trump and Republicans to pretend they are somehow returning abortion to the people when, in reality, they are doing the exact opposite. Republicans are giving politicians power that once belonged to individual women—letting politicians force women to stay pregnant—and they are trying to sell that as giving people a bigger voice on this issue.

Do Republicans really think Americans are that stupid? Do Republicans really think they can take away a constitutional right and convince us it is a win for freedom? That is insulting.

Here is an idea: Do you want to really give the people a say on abortion? How about you let each person decide with their doctors what is right for them? How is that for small government? How is that for letting people decide?

If Republicans really want to let people make their own decisions on abortions, that is news to me. It would certainly be news to the countless women who have had that choice ripped away from them by Republican politicians over the past 2 years.

But they have a chance to prove it right here, today, right now, when we vote on my Reproductive Freedom for Women Act. This is a plain up-or-down vote on whether you support women being able to make their own reproductive healthcare decisions. It doesn't force anything. It doesn't cost anything. It is, actually, just a half-page bill simply saying that women should have the basic freedom to make their own decisions about their healthcare. Seriously, that is it. It is as simple as it gets.

If you care at all—even the tiniest bit—about protecting women's access to healthcare and allowing women to make their own decisions about their pregnancies, you should support this bill.

Now, make no mistake, I am not holding my breath here today, but I am going to be holding Republicans accountable. Donald Trump is trying to rewrite his abortion record, but I will not let him or anyone else off the hook. If Republicans are going to force women to stay pregnant, we are going to force them to be honest with the American people about their extreme position.

By the way, Democrats are going to keep fighting to restore the rights the American people have been so clear that they want back.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, first, let me thank the Senator from Washington State, the Senate's President pro tempore, for her amazing leadership on this issue. She is the lead sponsor of the legislation and is on so many other issues across the spectrum but particularly on women's rights and women's healthcare. There is no stronger clarion voice than the Senator from Washington, so I thank her for that.

Now, today, Senate Republicans must answer a simple question: Do they believe that women should have the right to make their own healthcare choices—yes or no?

The Reproductive Freedom for Women Act is exceedingly simple. All it does is express support for a woman's right to choose. That is it—no more, no less. It should be an easy ''yes'' vote.

My Republican colleagues have a choice: Vote yes, and stand with women who want their rights protected or stand with Donald Trump and the MAGA radicals who want to see those rights taken away.

We know where the American people stand on freedom of choice: Over 80 percent of Americans, including two-thirds of Republicans, agree that healthcare decisions, including abortion, should be between a woman and her doctor. But Americans are rightfully worried that reproductive rights are becoming extinct in this country. They see what is happening at the Supreme Court. They see the attacks against women's rights in States like Texas and Florida and Alabama and Idaho and beyond.

The American people want to know where their Senators stand on freedom of choice. By voting on reproductive freedoms, we are moving the issue forward because it is very important and very reasonable for Members to be asked to take a position on such a vital issue. If Senate Republicans genuinely trust women to make their own reproductive choices, then they should not block this bill today.

I want to tell our Republican colleagues: The American people are

watching how we vote. You can run, but you can't hide. All of America is going to know whether you are for women's reproductive rights or not by this vote—no excuses. This is it. They—the American people—want to see who will defend their fundamental freedoms and who will not.

Again, let me thank Senator MURRAY for leading on this bill. Let me thank every female Senator on our side of the aisle for cosponsoring it along with me.

We need a ''yes'' vote.

I ask for the yeas and nays.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 420, S. 4554, a bill to express support for protecting access to reproductive health care after the Dobbs v. Jackson decision on June 24, 2022.

Charles E. Schumer, Patty Murray, Alex Padilla, Christopher A. Coons, Jack Reed, Margaret Wood Hassan, Christopher Murphy, Chris Van Hollen, Benjamin L. Cardin, Mazie K. Hirono, Thomas R. Carper, Tina Smith, Sheldon Whitehouse, Gary C. Peters, Tammy Duckworth, Kirsten E. Gillibrand, Catherine Cortez Masto, Richard Blumenthal.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 4554, a bill to express support for protecting access to reproductive health care after the Dobbs v. Jackson decision on June 24, 2022, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. MARKEY), the Senator from New Jersey (Mr. MENENDEZ), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Oklahoma (Mr. MULLIN), the Senator from Utah (Mr. ROMNEY), and the Senator from Florida (Mr. SCOTT).

The yeas and nays resulted—yeas 49, nays 44, as follows:

[Rollcall Vote No. 211 Leg.]

YEAS—49

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

NAYS—44

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

NOT VOTING—7

Cruz	Mullin	Sinema
Markey	Romney	
Menendez	Scott (FL)	

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 49, the nays are 44.

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

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

MOTION TO RECONSIDER

Mr. SCHUMER. Madam President, I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. RES. 748

Mr. LEE. Madam President, European capitals have grown far too accustomed to U.S.-subsidized security for way too long. It is an imbalance that has allowed Europe to enjoy constant protection without bearing the risks or the costs.

Today, as Washington hosts the annual NATO summit, we find ourselves at a crossroads. NATO, now turning 75, is an alliance with major issues. Despite the rhetoric from President Biden and his handlers, the simple truth is that we cannot afford to consider admitting Ukraine, nor should the United States be making overtures about future membership.

As NATO gathers on our soil, the United States needs to be forthright with our allies that the United States cannot sustain the massive levels of support for Ukraine, and any discussion of Ukraine's membership cannot be on the table.

We have challenges right on our front door that need our immediate attention: the crisis at our southern border and the credible military threat from China in our hemisphere and the Pacific. Those two things combined are things we have to address, urgently so.

The situation at hand demands that we prioritize our own borders and our own deterrence efforts in higher priority theaters. We simply do not have the luxury of infinite military resources, capabilities, or personnel, and we do no favors to our European allies by minimizing the painful reality that the United States must prioritize our own security needs. We need to be honest with our allies about the truth.

The European security environment has drastically changed since the 2-percent defense spending pledge was made a decade ago at the 2014 Wales NATO summit. Our alliance's refusal to commit to raising this baseline to 3 percent or above, which is necessary to meet today's strategic demands, places a disproportionate burden on the American people. Our military and diplomatic leadership have admitted that 2 percent is insufficient; however, commitments to increasing defense spending have not been made at this year's summit.

While European domestic budgets focus on massively funding free healthcare, shortened workweeks, social welfare programs, climate alarmism, and woke DEI activities, the United States still far exceeds the wealthiest European NATO allies in military contributions to Ukraine, as this graph demonstrates.

While Americans are pinching pennies, we are sending our tax dollars to fight in a faraway war. The burden must shift to Brussels, Berlin, Paris, and London. Instead of confronting reality, however, the Biden administration recently inked a 10-year security agreement with Ukraine, promising that ''Ukraine's future is in NATO'' and asserts that there are no limits to U.S. aid.

This is pure fantasy. To start, Ukraine does not meet NATO's membership standards—not even close, not by a mile. Our defense industrial base and dwindling stockpiles demonstrate that there are practical limits to what the United States can reasonably do for Ukraine.

The agreement also leaves open the possibility that U.S. forces will be used to ''confront any future aggression against the territorial integrity'' of Ukraine, once again sidestepping Congress and the American people to put us on a path to a direct shooting war with a nuclear-armed adversary. This is armchair brinkmanship by politicians whose children won't be the ones dying. The supposed purpose of NATO is to protect its members and prevent war, not bring us closer to it.

Despite these obvious flaws, the Biden administration sought to make it deliberately difficult to terminate this proposed 10-year agreement.

My resolution condemns this 10-year bilateral security agreement with Ukraine. It affirms that the agreement has no force of law without Senate ratification and rejects it as a bridge to Ukraine's NATO membership.

The Biden administration cannot be allowed to skirt the Constitution, to relegate Congress to the periphery, or to tie the hands of future administrations to entertain the fantasies of

Ukraine joining NATO. We must prioritize our national interests and uphold the principles and protections of our Constitution.

It is time for Congress to remind the alliance and the Biden administration that we hold the power to make treaties, to extend NATO membership, and that overtures made to Ukraine and our European allies are not ''irreversible.''

Ukraine's membership is not set in stone. If Ukraine is in, the United States should be out.

Madam President, I ask unanimous consent that the Committee on Foreign relations be discharged from further consideration and that the Senate now proceed to S. Res. 748. I further ask that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Mississippi.

Mr. WICKER. Madam President, reserving the right to object, I would simply observe that this resolution is, in fact, not a sense of the Senate, and it is wrong to suggest that a majority of Senators in any way agree with this resolution.

It is also a simple fact that the dictator, the war criminal Vladimir Putin thinks he can wait out the clock. This resolution would close the door to continued support for Ukraine. Taking bilateral agreements off the table would simply bind American's hands.

Victory against the dictator Putin must be our position. Ukraine can't win without the support of its friends. Putin knows this, and, surely, my friend the senior Senator from Utah also knows this.

We should not pass this resolution because it would hand Putin a rhetorical victory and we should not permit that.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). Is there objection?

The Senator from Maryland.

Mr. CARDIN. Mr. President, in reserving the right to object, it is interesting. Earlier today, there was a large bipartisan group of Senators that met with President Zelenskyy of Ukraine. We expressed our bipartisan support for the United States continuing to support Ukraine's efforts to repeal the outrageous attack to their sovereignty by Mr. Putin and Russia. There was bipartisan support for Ukraine because we recognized that Ukraine is the frontline in the defense of our democracy. Ukraine is not asking us for our soldiers; they are asking us for our support.

So I want to start, in my concerns of the unanimous consent request offered by the Senator from Utah, in that the support for the defense of Ukraine enjoys overwhelming bipartisan support here in the U.S. Senate. That is why I was pleased to join Senator WICKER on the floor. When the supplemental funding bill came up for a vote, 79 Senators—Republicans and Democrats alike—backed it.

Why is that? It is because most Senators understand what is at stake. It is because we understand that Ukraine is not only fighting for themselves; they are fighting for the entire Western World. It is because we understand, if Putin is successful in Ukraine, it will endanger our security interests and those of some of our closest European allies.

Yes, they are asking for financial and military support. Their success—Ukraine's success—will help make it possible for our soldiers not to be in another war in Europe. So supporting Ukraine in this fight against one of the most dangerous adversaries in the world is clearly in the national security interests of the United States.

I also want to address one of the arguments offered by my colleague from Utah: the idea that this Executive agreement should have no effect unless submitted to the Senate for advice and consent. Multiple administrations have used Executive agreements to advance diplomatic goals that are in the U.S.'s national security interests. Along with my colleagues, I support this bilateral agreement because it does just that; it advances Ukraine's interests and our own interests in national security.

Unlike other administrations, in the case of this agreement, the Biden administration proactively reached out to Members and staff in both Chambers of both parties to share the parameters of the negotiations while they were underway. They solicited reactions and input from Congress, and they took some of our input in regards to the final negotiations. Unlike the practices of previous administrations, the Biden administration posted the text of the agreement on the State Department's website the day it was signed.

We in Congress were kept up to date on parallel negotiations with Ukraine by 31 other nations. They were negotiating with 31 countries in bilateral security agreements so that we could give comprehensive help to Ukraine in its defense of democracy. Many are in NATO, but there are also other countries that the U.S. has rallied to support Ukraine. So far, Ukraine has signed 20 bilateral security deals. They include concrete provisions on long-term military and financial aid. They include the training of Ukrainian troops. They include weapons delivery.

I want to be clear: They do not include the deployment of foreign soldiers to fight in Ukraine. It is envisioned that 32 nations will enter into bilateral security agreements with Ukraine. While they will vary to some extent, they will create a robust commitment of support for Ukraine. I would also add that these agreements—and specifically the United States' bilateral agreement with Ukraine—include commitments by Ukraine to continue its consolidation of democratic governance and anti-corruption initiatives.

It is absolutely critical we send a clear message to Vladimir Putin that, no matter who is in the White House, the United States will stand by Ukraine in its fight to maintain its sovereignty.

Finally, this is not charity. It serves our national security interests. It is because future wars will be different from prior conflicts. They will now involve modern technology. Right now, Ukraine is experimenting with how to be effective in such a war, and Ukraine is adapting in realtime. With this bilateral agreement, Ukraine will be sharing information with the United States on everything they are learning on the battlefield. They will give our soldiers and military planners the ability to develop creative ways to use these new technologies.

This agreement strengthens our national security; it strengthens Ukraine; and it strengthens the resolve of allies looking to the United States for leadership on the global stage.

For all of these reasons, I object to the unanimous consent request.

The PRESIDING OFFICER. The objection is heard.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the insights offered by my friend and colleague, the distinguished Senator from the State of Maryland. I am grateful for his leadership in the Senate, for his friendship and all he does in looking out for the interests of our country, and I am grateful to have his insights today on the floor in explaining the reasons for his objection to the resolution that I have offered.

I would like to note that not one of these arguments negates the fundamental realities that we are dealing with here. Not one of them negates something very fundamental in all of this, which is the requirement in the Constitution, found in article II, section 2 of the Constitution, that says that the President ''shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided [that] two-thirds of the Senators present concur.'' That is a pretty significant requirement. So let's address each of these arguments that we have heard in the last few minutes in turn.

We have heard arguments about the fact that there has been significant bipartisan support for Ukraine aid. That doesn't negate this. I mean, first of all, providing material support—humanitarian or otherwise—to Ukraine is not the same as a treaty. A treaty creates a lasting international obligation, one that is intended specifically to outlast, as my friend from Maryland noted is the objective here, that is supposed to transcend one administration to the next, so it is not just a fleeting moment; it is an ongoing sovereign obligation.

For that very reason, article II, section 2 of the Constitution requires that the Senate ratify treaties before they may take effect. The President may

propose them. The President may negotiate them and even sign them, but unless or until a treaty is presented to the Senate and ratified in executive session by the Senate with a two-thirds supermajority vote—it takes 67 votes with 100 Senators—then you don't have a treaty, and you don't have that lasting, sovereign, international obligation—one that transcends one administration to another.

As far as the argument that there has been transparency and that there has been outreach by the White House to Senators and communication, that is great. It is the sort of thing that ought to happen. It is in no way sufficient to provide a substitute for or an end-run around article II, section 2 of the Constitution—requiring that treaties be presented to the Senate and ratified only with 67 votes in a 100 Member Chamber. So that doesn't do it. That can't take care of that here.

Look, the point here is that there is nothing in what I am suggesting that would necessarily close any doors in the future. What I am trying to say here is that, if we are going to do this—if we are going to close doors, as is the intention behind this agreement—close doors to future administrations and to future Congresses to bind us to some kind of a lasting obligation as a sovereign nation to one or more other sovereign nations internationally—then we have got to follow the treaty process because that is what the Constitution requires.

As to the idea that Ukraine is the frontline—the frontline of defending democracy as, I think, was one of the arguments raised here—our own obligation to protect our own sovereign borders and our own people, while at the same time containing and deterring other potential threats to the United States, such as those presented by China, have to come first. Those are the frontlines of our Republic—our own border, our own national defense, our own national security, the safety, the freedom, the security of our own people. That is the frontline that we are supposed to be focused on. That is literally our frontline, and insofar as that is incompatible with our efforts on another continent, those things have to be taken into account.

But there again, this is exactly the sort of thing that the Senate is supposed to consider not just in the abstract but in the context of a lasting, sovereign, international obligation in the context of treaty ratification proceedings, and that takes a two-thirds supermajority vote.

Executive agreements do not and constitutionally should not and cannot supersede laws passed by Congress. There is nothing in the Constitution that says that a lasting, sovereign, international obligation taken on by an Executive agreement made by the President of the United States alone, whether with or without consultation to one or more Members of Congress—there is nothing in there that says that that satisfies the constitutional obligation.

Now, if the wording of article II, section 2 or any other provision of the Constitution reads otherwise, then we would be in a different circumstance, but alas, we are not in that universe. Quite fortunately, we are not. It is with good reason that the Founders put in there the two-thirds supermajority requirement, and we can't allow that simply to be bypassed here, not for light or casual purposes, not even for great purposes.

No matter how great our purposes are, no matter how noble one's intentions might be in the administration, in the Senate, or otherwise, one can't get around this simple fact that what we are talking about here is, for all practical purposes, a treaty, and we are being asked to treat it as such. That requires two-thirds. We don't have that here.

So no matter how much bipartisan support, no matter how much flowery rhetoric, no matter how much good that can be done, no matter how evil Vladimir Putin is, that still doesn't change our constitutional realities. We have each been sworn into office under circumstances where, pursuant to another provision of the Constitution, we are required to take an oath to the Constitution itself. Our oath requires nothing less than that we honor this and that we not pretend that we can just circumvent all of this simply by calling something an Executive agreement—no matter how justified by the circumstances we may want it to be.

Look, at the end of the day, we have to come to grapple with the fact that we are $35 trillion in debt and that we face threats around the world, including and especially from China—China, which is gaining, increasingly, a foothold in our own hemisphere and in country after country throughout Latin America. China is gaining a physical presence, in addition to a more and more robust commercial arrangement, in addition to China's investment in so-called dual-use technologies, which in many circumstances have military purposes behind them. It is one of many policy reasons why we have got to be focused on China.

Insofar as we deplete our own resources in continuing to honor an obligation to another country in another hemisphere, we have got to take those things into account. It is one of many things that we have got to consider before taking on a treaty obligation. Make no mistake, this is a treaty obligation.

Abraham Lincoln is quoted as having asked the question rhetorically: If you count the tail of a dog as a leg, how many legs does the dog have?

People would, apparently, routinely—the uninitiated at least—respond by saying: Well, five legs.

And he would say: No. It is still four legs. Just because you call the tail of a dog a leg, it doesn't make it so.

Just because you call an Executive agreement a treaty and ask people to treat it as if it were a treaty doesn't make it so.

I yield the floor.

The PRESIDING OFFICER (Mr. CARDIN). The Senator from Utah.

COMMEMORATING THE PASSAGE OF 3 YEARS SINCE THE TRAGIC BUILDING COLLAPSE IN SURFSIDE, FLORIDA, ON JUNE 24, 2021

Mr. LEE. 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. 746.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 746) commemorating the passage of 3 years since the tragic building collapse in Surfside, Florida, on June 24, 2021.

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

Mr. LEE. 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 and upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 746) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 20, 2024, under ''Submitted Resolutions.'')

The PRESIDING OFFICER. The Senator from Georgia.

FEDERAL PRISON OVERSIGHT ACT

Mr. OSSOFF. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate proceed to the immediate consideration of H.R. 3019.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 3019) to establish an inspections regime for the Bureau of Prisons, and for other purposes.

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

Mr. OSSOFF. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 3019) was ordered to a third reading, was read the third time, and passed.

Mr. OSSOFF. Mr. President, how did it come to pass that in a nation whose founding document guarantees due

process and civil rights and prohibits cruel and unusual punishment, a Federal prison in Dublin, CA, would become so notorious for the endemic sexual abuse of female inmates by prison staff that it would be known as the rape club—rape club—sexual assault and abuse of Federal inmates by the warden, by the chaplain.

Senator JOHNSON of Wisconsin and I led a bipartisan investigation of sexual assault in Federal prisons. We found that in two-thirds—two-thirds—of Federal prisons that housed female inmates, inmates had been sexually assaulted by members of prison staff.

We found that at the U.S. penitentiary in Atlanta, in my home State of Georgia, for nearly a decade, unchecked corruption and civil rights abuses had been ongoing with the knowledge of the leadership of the Bureau of Prisons, and no effective action had been taken to address them. Pretrial detainees sleeping in paper pajamas were denied access to counsel, denied access to hygiene products, denied access to fresh air—pretrial, presumptively innocent Federal detainees.

The human rights crisis behind bars in the United States is a stain on America's conscience.

We just passed the most significant Federal prison reform legislation in many years, and now it is on the way to the desk of the President of the United States. I am grateful to my colleague Senator BRAUN of Indiana for joining me in offering and introducing the Federal Prison Oversight Act, which has now been passed by the Senate and the House.

This is landmark prison reform legislation. It will require the inspector general of the Department of Justice to undertake ongoing and regular inspections of every single Federal prison in the United States.

It will establish an independent ombudsman at the Department of Justice to investigate the health, safety, welfare, and rights of incarcerated people and staff.

It will also create a secure hotline and an online forum for family members, friends, and representatives of incarcerated Americans to submit complaints and inquiries.

It will require the IG to report the findings from its routine inspections of Federal prisons and recommendations to Congress and to the public and require the Bureau of Prisons to respond to all inspection reports within 60 days with a corrective action plan.

We were able to pass this legislation because we worked together, Senator JOHNSON and I, leading multiple bipartisan investigations of human rights abuses and corruption in the Federal prison system and Senator BRAUN and I forming the Prison Policy Working Group to develop bipartisan solutions like this one.

I am grateful to my colleague from Georgia in the U.S. House, Representative MCBATH, for her tireless efforts to shepherd this bill to passage in the U.S. House, and today, we passed it on the floor of the Senate. I am grateful for the support of my colleagues.

Let the leadership of the Bureau of Prisons know that the U.S. Congress will no longer tolerate the wanton and ongoing and widespread abuse of those who are in their custody.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Maryland.

NATO

Mr. CARDIN. Mr. President, 75 years ago, a brutal Russian dictator had pushed Russia to the brink of war. Soviet-sponsored coups had removed democratically elected governments in Eastern Europe. Communist revolutionaries were trying to seek control of Greece. Authoritarian forces threatened American Allies across Europe. The peace that we fought so hard to secure during World War II was in jeopardy.

To meet these challenges, the United States and nations on both sides of the Atlantic that shared a democratic, free, and prosperous vision of the world came together and formed an alliance, the North Atlantic Treaty Organization, or NATO. President Truman signed the treaty, along with representatives from Canada, Belgium, Denmark, France, Iceland, Italy, Luxembourg, the Netherlands, Norway, Portugal, and the United Kingdom.

The heart of this treaty has always been article 5. It states that ''the Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all.''

Despite the incredible changes we have seen in the world over the past 75 years, as the NATO alliance comes together for a summit here in Washington this week, the power of our solemn promise of solidarity is just as important as ever.

Vladimir Putin's invasion of Ukraine has laid bare the danger Russia once again poses to Europe. From the Baltic States and Poland to Romania and Bulgaria, NATO member countries have seen what Mr. Putin's army is capable of doing in Ukraine—targeting maternity wards and kindergartens, kidnapping and forcing children to relocate to Russia, executing innocent civilians with their hands tied behind their backs.

For those people living in Moscow's shadow, the only thing standing between a Russian invasion and such horrific war crimes is NATO. This makes the strength of our alliance vitally important.

I want to thank Secretary General Stoltenberg for his tireless efforts to guide the alliance through the last decade.

The alliance is stronger today thanks to the recent additions of Finland and Sweden; thanks to the important financial contributions of member states, especially on the eastern flank; and thanks to the leadership of the Biden administration—in particular, Secretary Blinken and Secretary Austin.

Because of the hard work of our military and political leaders on both sides of the Atlantic, today, NATO is more unified, but there are concerns. Whether it is the former President of the United States who tells Russia to ''do whatever the hell they want'' or the delays in getting supplemental security funding for Ukraine passed in the House of Representatives earlier this year, diplomats on both sides of the Atlantic are asking legitimate questions: Where is our alliance headed? Can Putin be stopped in Ukraine? Will NATO continue to have our backs?

As the chair of the Senate Foreign Relations Committee, I want to be crystal clear: The answer is and must be yes.

NATO has been there for the United States in tough times, whether it is defending our skies after 9/11 or providing food and medical supplies to the people of New Orleans after Hurricane Katrina.

Now more than ever, I believe the United States must stand shoulder to shoulder with our European allies. That is why I backed efforts to support Ukraine in its fight against Russia. That is why I never gave up pushing for the passage of the supplemental security assistance and was glad that it was finally enacted. That is why I am supportive of the recent bilateral security agreement between the United States and Ukraine. It is also why I support plans for NATO to take an expanded role in coordinating the defense of Ukraine, because no matter who is in the Oval Office, assistance to Ukraine must continue, defense of Europe against Russian aggression must continue, and strengthening of the NATO alliance must continue. Above all, we must not give up hope that we can succeed.

Seventy-five years ago at the NATO treaty signing, President Truman said:

> For us, war is not inevitable. We do not believe there are blind tides of history which sweep men one way or another. In our own time we have seen brave men overcome obstacles that seemed insurmountable and forces that seem overwhelming. Men with courage and vision can still determine their own destiny.

I am confident that NATO's leaders—men and women meeting here in Washington this week—possess both courage and vision. There may be debates about how NATO can best engage with our allies in the Indo-Pacific, like Japan and South Korea and Australia, or how to best posture ourselves on NATO's eastern flank, but I am optimistic that NATO's future is bright because there is no question that what brings us together is our commitment to keeping authoritarian governments at bay, our commitment to democratic institutions and the protection of human rights, our commitment to peace and prosperity, and our commitment to our values.

So as we welcome NATO leaders to Washington this week and celebrate

the 75th anniversary of the NATO alliance, I urge my colleagues on both sides of the aisle to support and protect NATO's military alliance that has made our world a safer place for over seven decades. Let us work together to build a future that is free and secure and peaceful for generations to come.

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

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

ANNIVERSARY OF THE 2023 VERMONT FLOOD

Mr. WELCH. Mr. President, 1 year ago this very week, rain started to fall in Vermont, and, for days on end, it did not stop. The rain turned into catastrophic flooding. We had our entire usual rainfall in just days.

The damage was immense. We experienced landslides. Vermonters were stranded and had to be rescued. Three people, tragically, died. Homes, farms, and businesses were damaged and destroyed. The infrastructure and services that we take for granted and depend on—the wastewater plants, our dams, our bridges, and even our capital city's post office—were damaged by the flood. Some have not yet been repaired—many, in fact.

The statistics from Vermont are astounding. There were 214 swift water rescues—swift water rescues: people who couldn't get out of their home except by being rescued by folks on boats—and 70 evacuations. Eighteen drinking water and 33 wastewater systems were damaged. Three wastewater systems were damaged beyond repair.

Mr. President, 139 of our municipalities experienced flood damage, 64 State bridges and 46 State roads were closed, and over 6,000 tons of debris were removed by the State of Vermont. There were 6,146 FEMA Individual Assistance registrations.

It was an all-hands-on-deck moment in Vermont, just as it is in other communities where they face a major disaster, and people showed up: neighbors and volunteers, first responders, police officers, medical professionals and emergency workers, the National Guard. Local news reporters, by the way, did an incredible job keeping Vermonters informed. From every level of government and every political leaning, folks worked together for a common goal: to help.

A moment of appreciation to my colleagues, including the President, who may be listening: Nine States helped Vermont by sending personnel or resources. Thank you to the Governors and Senators in New Hampshire, Massachusetts, Pennsylvania, Virginia, North Carolina, Tennessee, Michigan, Florida, and Colorado—States that supported us and colleagues who supported us. It is very reassuring, I just want to say to all of my colleagues, Republican and Democrat, to hear your expressions of good will on behalf of Vermonters when we suffered that catastrophic loss.

Since the flood, I have revisited many of the communities that were hit hard last July. In every community, I have seen strength and resilience, and it gives me confidence that we will come back stronger than before. Our Vermont values—and I think they are American values; I know they are rural values—have shown the country what is possible in the times of great adversity. Our perseverance has remained long after the floodwaters have receded.

But, Mr. President, this takes a toll on folks. If it is your farm, if it is your home, if it is your business, if it is a town where you are on the select board and it is your bridge, that is tough. And it goes on.

I have come to the Senate floor many times to talk about how critical the resources are that the appropriations process has provided. But we need flexible funding dollars to actually finish the job and get past the redtape that is holding things up.

The President's revised disaster supplemental request is absolutely critical—not just for Vermont, by the way, but for many communities that have suffered catastrophic weather-related events around the country.

It would bolster the community development block grants for the disaster recovery program. That gives communities the flexibility necessary to recover, and Vermont does need substantial disaster relief money to help lower and moderate-income communities fill in the gaps of insurance and State assistance.

As I go to places in Vermont—beautiful places, really damaged, like Ludlow, Londonderry, Barre, Johnson, Hardwick, and our own capital, Montpelier—with this iconic photograph that was across the United States after our weather event—I keep hearing from the hard-working Vermonters and local leaders who would directly benefit from the disaster relief program. It could help them move out of potential flood zones or away from waterways.

And, by the way, we have to start making some of these decisions because these once-in-100-year events are once every 10 years or even more often.

It could help elevate a bridge. It could help them strengthen and repair their wastewater treatment facilities. These things really, really matter. It matters whether you are in a red State or a blue State.

I think, too often, we lose, also, the voices of the victims, those who have been hit directly. Too often we forget, in the aftermath of the initial recovery, where things go back to normal except for the people who have been really hit hard. I will give a few examples.

Marie, a Vermonter, said to me, every time it rains for several days or it comes down hard, she watches the river behind her house and prays that it doesn't come up over the bank like it did last July.

Doug said:

Our shop and home were impacted by the flood and we had to shut down. We are still in the process of repairing our business with the hope of opening during this summer.

And the summer is here.

The impact of the flood has been traumatic on both our lives and our community.

John, another Vermonter, said:

Our entire property was flooded, and we lost everything in the cellar. We are retired on a fixed income, so these were huge losses. The future worries us, we have been flooded three times and probably will be again.

Amy said:

I appreciate the assistance from FEMA—

And I appreciate the assistance from FEMA. They were there on the job right after the flood, but the pain endures for those people directly affected.

but it is nowhere near adequate. My employer was also affected hugely because our offices and warehouse flooded, and many of the farmers we work with were flooded.

By the way, those crops were just coming in. It was July. So a lot of these vegetable farmers were wiped out in Royalton, VT, as our friend knows.

We had to spend huge amounts of money to repair our space, and we lost sales because of [the loss of the crops].

So folks are still hurt, and they still need help. So, yes, we respond in the immediate aftermath of the storm, but to get the response done, we have to get people and farms and businesses back on their feet.

I talk about these Vermonters, but I want to stress to my colleagues that your State could be next. It is something we all know. Just look at the recent tragedies in Texas, Minnesota, and elsewhere.

And, of course, last year's flood was hardly isolated. We are expecting more rain this week. The remnants of Hurricane Beryl could cause flooding again tonight. Again, our brave emergency crews are out there doing everything they can.

Emergency supplemental funding will help our State and many other States, and there is no question about that. And I am working with colleagues to pass legislation that does provide that supplemental funding that is flexible and vitally needed.

After the flood, I introduced new legislation that will help rural communities in Vermont and across America hit by floods and other natural disasters.

For instance, the Rural Recovery Act streamlines and provides technical assistance. We have towns like Weston that got totally smashed. They have this beautiful Weston playhouse that people come from States all around Vermont to see great performances. It totally flooded. That town has a population of less than 600 people, so they don't have somebody on staff who knows how to deal with the various Federal programs and regulations and

so on. Our legislation would help provide technical assistance in rural communities so that they have the capacity to get what you are entitled to will be available.

Another bill is the WEATHER Act, which helps farmers—and I am talking about small farmers with vegetable crops. It would help them by having a practical crop insurance program. The crop insurance programs we have are really important and I support. They tend to be for big commodity operations. If you are a vegetable farmer in Vermont and your potato crop, your onion crop, your tomato crop got wiped out, it is incredibly complicated to try to make a claim, and it doesn't work. And you can only try to get damages for the ''wholesale'' value, even when many of these farmers who are the lifeblood of many of our communities sell their product at retail at local farmers' markets. We have to have a program that works for them, because whether it is in Georgia or it is in Vermont or any State, those local farmers—farm-to-table, farm-to-school—they really, really matter. We have to give them a shot at getting back on their feet when a weather event takes them down.

The BUFFER Act will help Vermont farmers take full advantage of flooding and erosion prevention programs.

I will continue in Vermont partnering with our Governor, Governor Scott, who has been on this case from day one, and my Vermont colleagues in the congressional delegation, Senator SANDERS—the senior Senator from Vermont—and Congresswoman BALINT, as well as the Biden administration and our local leaders to help Vermont recover from the flood more resiliently, prepare for the future, and recognizing the reality that these huge weather events are here to stay.

I want to thank the people of Vermont who have, as they have always done, found a way to come together and just deal with the reality of what they face.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Danny Lam Hoan Nguyen, to be Associate Justice of the Superior Court of the District of Columbia; that the Senate vote on the nomination, Calendar No. 508, without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; and the Senate resume legislative session.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Danny Lam Hoan Nguyen, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Nguyen nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

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

RESOLUTIONS SUBMITTED TODAY

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 760, S. Res. 761, S. Res. 762.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. WELCH. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

THE CALENDAR

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following bills: Calendar No. 127, S. 612, Lake Tahoe Restoration Act, and Calendar No. 292, S. 912, Mining Schools Act.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. WELCH. I ask unanimous consent that the bills be considered read a third time en bloc.

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

The bills were ordered to be engrossed for a third reading and were read the third time en bloc.

Mr. WELCH. I know of no further debate on the bills en bloc.

The PRESIDING OFFICER. If there is no further debate on the bills, the bills having been read the third time, the question is, Shall the bills pass en bloc?

The bills were passed en bloc, as follows:

LAKE TAHOE RESTORATION REAUTHORIZATION ACT

The bill (S. 612) to reauthorize the Lake Tahoe Restoration Act, and for other purposes, was passed as follows:

S. 612

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Lake Tahoe Restoration Reauthorization Act''.

SEC. 2. REAUTHORIZATION OF THE LAKE TAHOE RESTORATION ACT.

(a) COOPERATIVE AUTHORITIES.—Section 4(f) of the Lake Tahoe Restoration Act (Public Law 106–506) is amended by striking ''4 fiscal years following the date of enactment of the Water Resources Development Act of 2016'' and inserting ''period beginning on the date of enactment of this subsection and ending on the date described in section 10(a)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506) is amended by striking ''for a period'' and all that follows through the period at the end and inserting '', to remain available until September 30, 2034.''.

MINING SCHOOLS ACT OF 2023

The bill (S. 912) to require the Secretary of Energy to provide technology grants to strengthen domestic mining education, and for other purposes, was passed as follows:

S. 912

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Technology Grants to Strengthen Domestic Mining Education Act of 2023'' or the ''Mining Schools Act of 2023''.

SEC. 2. TECHNOLOGY GRANTS TO STRENGTHEN DOMESTIC MINING EDUCATION.

(a) DEFINITIONS.—In this section:

(1) BOARD.—The term ''Board'' means the Mining Professional Development Advisory Board established by subsection (d)(1).

(2) MINING INDUSTRY.—The term ''mining industry'' means the mining industry of the United States, consisting of the search for, and extraction, beneficiation, refining, smelting, and processing of, naturally occurring metal and nonmetal minerals from the earth.

(3) MINING PROFESSION.—The term ''mining profession'' means the body of jobs directly relevant to—

(A) the exploration, planning, execution, and remediation of metal and nonmetal mining sites; and

(B) the extraction, including the separation, refining, alloying, smelting, concentration, and processing, of mineral ores.

(4) MINING SCHOOL.—The term ''mining school'' means—

(A) a mining, metallurgical, geological, or mineral engineering program accredited by the Accreditation Board for Engineering and Technology, Inc., that is located at an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); or

(B) a geology or engineering program or department that is located at a 4-year public institution of higher education (as so defined) located in a State the gross domestic product of which in 2021 was not less than $2,000,000,000 in the combined categories of ''Mining (except oil and gas)'' and ''Support activities for mining'', according to the Bureau of Economic Analysis.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) DOMESTIC MINING EDUCATION STRENGTHENING PROGRAM.—The Secretary, in consultation with the Secretary of the Interior (acting through the Director of the United States Geological Survey), shall—

(1) establish a grant program to strengthen domestic mining education; and

(2) under the program established in paragraph (1), award competitive grants to mining schools for the purpose of recruiting and educating the next generation of mining engineers and other qualified professionals to meet the future energy and mineral needs of the United States.

(c) GRANTS.—

(1) IN GENERAL.—In carrying out the grant program established under subsection (b)(1), the Secretary shall award not more than 10 grants each year to mining schools.

(2) SELECTION REQUIREMENTS.—

(A) IN GENERAL.—To the maximum extent practicable, the Secretary shall select recipients for grants under paragraph (1) to ensure geographic diversity among grant recipients to ensure that region-specific specialties are developed for region-specific geology.

(B) TIMELINE.—The Secretary shall award the grants under paragraph (1) by not later than the later of—

(i) the date that is 180 days after the start of the applicable fiscal year; and

(ii) the date that is 180 days after the date on which the Act making full-year appropriations for the Department of Energy for the applicable fiscal year is enacted.

(3) RECOMMENDATIONS OF THE BOARD.—

(A) IN GENERAL.—In selecting recipients for grants under paragraph (1) and determining the amount of each grant, the Secretary, to the maximum extent practicable, shall take into consideration the recommendations of the Board under subparagraphs (A) and (B) of subsection (d)(3).

(B) SELECTION STATEMENT.—In selecting recipients for grants under paragraph (1), the Secretary shall—

(i) in response to a recommendation from the Board, submit to the Board a statement that describes—

(I) whether the Secretary accepts or rejects, in whole or in part, the recommendation of the Board; and

(II) the justification and rationale for any rejection, in whole or in part, of the recommendation of the Board; and

(ii) not later than 15 days after awarding a grant for which the Board submitted a recommendation, publish the statement submitted under clause (i) on the Department of Energy website.

(4) USE OF FUNDS.—A mining school receiving a grant under paragraph (1) shall use the grant funds—

(A) to recruit students to the mining school; and

(B) to enhance and support programs related to, as applicable—

(i) mining, mineral extraction efficiency, and related processing technology;

(ii) emphasizing critical mineral and rare earth element exploration, extraction, and refining;

(iii) reclamation technology and practices for active mining operations;

(iv) the development of reprocessing systems and technologies that facilitate reclamation that fosters the recovery of resources at abandoned mine sites;

(v) mineral extraction methods that reduce environmental and human impacts;

(vi) technologies to extract, refine, separate, smelt, or produce minerals, including rare earth elements;

(vii) reducing dependence on foreign energy and mineral supplies through increased domestic critical mineral production;

(viii) enhancing the competitiveness of United States energy and mineral technology exports;

(ix) the extraction or processing of coinciding mineralization, including rare earth elements, within coal, coal processing byproduct, overburden, or coal residue;

(x) enhancing technologies and practices relating to mitigation of acid mine drainage, reforestation, and revegetation in the reclamation of land and water resources adversely affected by mining;

(xi) enhancing exploration and characterization of new or novel deposits, including rare earth elements and critical minerals within phosphate rocks, uranium-bearing deposits, and other nontraditional sources;

(xii) meeting challenges of extreme mining conditions, such as deeper deposits or offshore or cold region mining; and

(xiii) mineral economics, including analysis of supply chains, future mineral needs, and unconventional mining resources.

(d) MINING PROFESSIONAL DEVELOPMENT ADVISORY BOARD.—

(1) IN GENERAL.—There is established an advisory board, to be known as the ''Mining Professional Development Advisory Board''.

(2) COMPOSITION.—The Board shall be composed of 6 members, to be appointed by the Secretary not later than 180 days after the date of enactment of this Act, of whom—

(A) 3 shall be individuals who are actively working in the mining profession and for the mining industry; and

(B) 3 shall have experience in academia implementing and operating professional skills training and education programs in the mining sector.

(3) DUTIES.—The Board shall—

(A) evaluate grant applications received under subsection (c) and make recommendations to the Secretary for selection of grant recipients under that subsection;

(B) propose the amount of the grant for each applicant recommended to be selected under subparagraph (A); and

(C) perform oversight to ensure that grant funds awarded under subsection (c) are used for the purposes described in paragraph (4) of that subsection.

(4) TERM.—A member of the Board shall serve for a term of 4 years.

(5) VACANCIES.—A vacancy on the Board—

(A) shall not affect the powers of the Board; and

(B) shall be filled in the same manner as the original appointment was made by not later than 180 days after the date on which the vacancy occurs.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2024 through 2031.

SEC. 3. REPEAL OF THE MINING AND MINERAL RESOURCES RESEARCH INSTITUTE ACT OF 1984.

The Mining and Mineral Resources Research Institute Act of 1984 (30 U.S.C. 1221 et seq.) is repealed.

Mr. WELCH. I further ask that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate, all en bloc.

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

STOPPING HARMFUL IMAGE EXPLOITATION AND LIMITING DISTRIBUTION ACT OF 2023

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 78, S. 412.

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

The senior assistant legislative clerk read as follows:

A bill (S. 412) to provide that it is unlawful to knowingly distribute private intimate visual depictions with reckless disregard for the individual's lack of consent to the distribution, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stopping Harmful Image Exploitation and Limiting Distribution Act of 2023'' or the ''SHIELD Act of 2023''.

SEC. 2. CERTAIN ACTIVITIES RELATING TO INTIMATE VISUAL DEPICTIONS.

(a) IN GENERAL.—Chapter 88 of title 18, United States Code, is amended by adding at the end the following:

''§ 1802. Certain activities relating to intimate visual depictions

''(a) DEFINITIONS.—In this section:

''(1) COMMUNICATIONS SERVICE.—The term 'communications service' means—

''(A) a service provided by a person that is a common carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153), insofar as the person is acting as a common carrier;

''(B) an electronic communication service, as that term is defined in section 2510;

''(C) an information service, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153); and

''(D) an interactive computer service, as that term is defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

''(2) INFORMATION CONTENT PROVIDER.—The term 'information content provider' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

''(3) INTIMATE VISUAL DEPICTION.—The term 'intimate visual depiction' means any visual depiction (as that term is defined in section 2256(5)) of an individual who is recognizable by an individual other than the depicted individual from the intimate image itself or information or text displayed in connection with the intimate image who has attained 18 years of age at the time the intimate visual depiction is created and—

''(A) who is depicted engaging in sexually explicit conduct; or

''(B) whose genitals, anus, pubic area, or female nipple are unclothed and visible.

''(4) VISUAL DEPICTION OF A NUDE MINOR.—The term 'visual depiction of a nude minor' means any visual depiction (as that term is defined in section 2256(5)) of an individual who is recognizable by an individual other than the depicted individual from the intimate image itself or information or text displayed in connection with the intimate image who was under 18 years of age at the time the visual depiction was created in which the actual anus, genitals, or pubic area, or post-pubescent female nipple, of the minor are unclothed, visible, and displayed in a manner that does not constitute sexually explicit conduct.

''(5) SEXUALLY EXPLICIT CONDUCT.—The term 'sexually explicit conduct' has the meaning given that term in section 2256(2)(A).

''(b) OFFENSES.—

''(1) IN GENERAL.—Except as provided in subsection (d), it shall be unlawful to knowingly mail, or to knowingly distribute using any means or facility of interstate or foreign commerce or affecting interstate or foreign commerce, an intimate visual depiction of an individual—

''(A) with knowledge of the lack of consent of the individual to the distribution;

''(B) where what is depicted was not voluntarily exposed by the individual in a public or commercial setting; and

''(C) where what is depicted is not a matter of public concern.

For purposes of this paragraph, the fact that the subject of the depiction consented to the creation of the depiction shall not establish that that person consented to its distribution.

''(2) MINORS.—Except as provided in subsection (d), it shall be unlawful to knowingly mail, or to knowingly distribute using any means or facility of interstate or foreign commerce or affecting interstate or foreign commerce, a visual depiction of a nude minor with intent to abuse, humiliate, harass, or degrade the minor, or to arouse or gratify the sexual desire of any person.

''(c) PENALTY.—

''(1) IN GENERAL.—Any person who violates subsection (b), or attempts or conspires to do so, shall be fined under this title, imprisoned not more than 5 years, or both.

''(2) FORFEITURE.—

''(A) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation involving intimate visual depictions or visual depictions of a nude minor under this section, or convicted of a conspiracy of a violation involving intimate visual depictions or visual depictions of a nude minor under this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

''(i) any material distributed in violation of this section;

''(ii) such person's interest in property, real or personal, constituting or derived from any gross proceeds of such violation, or any property traceable to such property, obtained or retained directly or indirectly as a result of such violation; and

''(iii) any property, real or personal, used or intended to be used to commit or to facilitate the commission of such offense.

''(B) PROCEDURES.—Section 413 of the Controlled Substances Act (21 U.S.C. 853), with the exception of subsections (a) and (d), applies to the criminal forfeiture of property pursuant to subparagraph (A).

''(3) RESTITUTION.—Restitution shall be available as provided in section 2264 of this title.

''(d) EXCEPTIONS.—

''(1) LAW ENFORCEMENT, LAWFUL REPORTING, AND OTHER LEGAL PROCEEDINGS.—This section—

''(A) does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States;

''(B) shall not apply in the case of an individual acting in good faith to report unlawful or unsolicited activity or in pursuance of a legal or professional or other lawful obligation; and

''(C) shall not apply in the case of a document production or filing associated with a legal proceeding.

''(2) SERVICE PROVIDERS.—This section shall not apply to any provider of a communications service with regard to content provided by another information content provider unless the provider of the communications service intentionally solicits, or knowingly and predominantly distributes, such content.

''(e) THREATS.—Any person who threatens to commit an offense under subsection (b) shall be punished as provided in subsection (c).

''(f) EXTRATERRITORIALITY.—There is extraterritorial Federal jurisdiction over an offense under this section if the defendant or the depicted individual is a citizen or permanent resident of the United States.

''(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the application of any other relevant law, including section 2252 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 88 of title 18, United States Code, is amended by inserting after the item relating to section 1801 the following:

''1802. Certain activities relating to intimate visual depictions.''.

(c) CONFORMING AMENDMENT.—Section 2264(a) of title 18, United States Code, is amended by inserting '', or under section 1802 of this title'' before the period.

Mr. WELCH. I ask unanimous consent that the committee-reported substitute amendment be withdrawn, the Klobuchar substitute amendment, which is at the desk, be considered and agreed to, and the bill, as amended, be considered read a third time.

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

The committee-reported amendment, in the nature of a substitute, was withdrawn.

The amendment (No. 2248), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stopping Harmful Image Exploitation and Limiting Distribution Act of 2023'' or the ''SHIELD Act of 2023''.

SEC. 2. CERTAIN ACTIVITIES RELATING TO INTIMATE VISUAL DEPICTIONS.

(a) IN GENERAL.—Chapter 88 of title 18, United States Code, is amended by adding at the end the following:

''§ 1802. Certain activities relating to intimate visual depictions

''(a) DEFINITIONS.—In this section:

''(1) COMMUNICATIONS SERVICE.—The term 'communications service' means—

''(A) a service provided by a person that is a common carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153), insofar as the person is acting as a common carrier;

''(B) an electronic communication service, as that term is defined in section 2510;

''(C) an information service, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153); and

''(D) an interactive computer service, as that term is defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

''(2) INFORMATION CONTENT PROVIDER.—The term 'information content provider' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

''(3) INTIMATE VISUAL DEPICTION.—The term 'intimate visual depiction' means any visual depiction (as that term is defined in section 2256(5)) of an individual—

''(A) who has attained 18 years of age at the time the intimate visual depiction is created;

''(B) who is recognizable to a third party from the intimate image itself or information or text displayed in connection with the intimate image itself or information or text displayed in connection with the intimate image; and

''(C)(i) who is depicted engaging in sexually explicit conduct; or

''(ii) whose genitals, anus, pubic area, or female nipple are unclothed and visible.

''(4) MINOR.—The term 'minor' has the meaning given that term in section 2256.

''(5) SEXUALLY EXPLICIT CONDUCT.—The term 'sexually explicit conduct' has the meaning given that term in section 2256(2)(A).

''(6) VISUAL DEPICTION OF A NUDE MINOR.—The term 'visual depiction of a nude minor' means any visual depiction (as that term is defined in section 2256(5)) of an individual who is recognizable by an individual other than the depicted individual from the intimate image itself or information or text displayed in connection with the intimate image who was under 18 years of age at the time the visual depiction was created in which the actual anus, genitals, or pubic area, or post-pubescent female nipple, of the minor are unclothed, visible, and displayed in a manner that does not constitute sexually explicit conduct.

''(b) OFFENSES.—

''(1) IN GENERAL.—Except as provided in subsection (d), it shall be unlawful to knowingly mail, or to knowingly distribute using any means or facility of interstate or foreign commerce or affecting interstate or foreign commerce, an intimate visual depiction of an individual—

''(A) that was obtained or created under circumstances in which the actor knew or reasonably should have known the individual depicted had a reasonable expectation of privacy;

''(B) where what is depicted was not voluntarily exposed by the individual in a public or commercial setting;

''(C) where what is depicted is not a matter of public concern; and

''(D) if the distribution—

''(i) is intended to cause harm; or

''(ii) causes harm, including psychological, financial, or reputational harm, to the individual depicted.

For purposes of this paragraph, the fact that the subject of the depiction consented to the creation of the depiction shall not establish that that person consented to its distribution.

''(2) INVOLVING MINORS.—Except as provided in subsection (d), it shall be unlawful to knowingly mail, or to knowingly distribute using any means or facility of interstate or foreign commerce or affecting interstate or foreign commerce, a visual depiction of a nude minor with intent to abuse, humiliate, harass, or degrade the minor, or to arouse or gratify the sexual desire of any person.

''(c) PENALTY.—

''(1) IN GENERAL.—

''(A) VISUAL DEPICTION OF A NUDE MINOR.—Any person who violates subsection (b)(2) shall be fined under this title, imprisoned not more than 3 years, or both.

''(B) INTIMATE VISUAL DEPICTION.—Any person who violates subsection (b)(1) shall be fined under this title, imprisoned for not more than 2 years, or both.

''(2) FORFEITURE.—

''(A) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation involving intimate visual depictions or visual depictions of a nude minor under this section, or convicted of a conspiracy of a violation involving intimate visual depictions or visual depictions of a nude minor under this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

''(i) any material distributed in violation of this section;

''(ii) such person's interest in property, real or personal, constituting or derived from any gross proceeds of such violation, or any property traceable to such property, obtained or retained directly or indirectly as a result of such violation; and

''(iii) any personal property of the person used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation.

''(B) PROCEDURES.—Section 413 of the Controlled Substances Act (21 U.S.C. 853), with the exception of subsections (a) and (d), applies to the criminal forfeiture of property pursuant to subparagraph (A).

''(3) RESTITUTION.—Restitution shall be available as provided in section 2264 of this title.

''(d) EXCEPTIONS.—

''(1) LAW ENFORCEMENT, LAWFUL REPORTING, AND OTHER LEGAL PROCEEDINGS.—This section—

''(A) does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States; and

''(B) shall not apply to distributions that are made reasonably and in good faith—

''(i) to report unlawful or unsolicited activity or in pursuance of a legal or professional or other lawful obligation;

''(ii) to seek support or help with respect to the receipt of an unsolicited intimate visual depiction;

''(iii) relating to an individual who possesses or distributes a visual depiction of himself or herself engaged in nudity or sexually explicit conduct;

''(iv) to assist the depicted individual;

''(v) for legitimate medical, scientific, or educational purposes; or

''(vi) as part of a document production or filing associated with a legal proceeding.

''(2) SERVICE PROVIDERS.—This section shall not apply to any provider of a communications service with regard to content provided by another information content provider unless the provider of the communications service intentionally solicits, or knowingly and predominantly distributes, such content.

''(e) THREATS.—Any person who intentionally threatens to commit an offense under subsection (b) for the purpose of intimidation, coercion, extortion, or to create mental distress shall be punished as provided in subsection (c).

''(f) EXTRATERRITORIALITY.—There is extraterritorial Federal jurisdiction over an offense under this section if the defendant or the depicted individual is a citizen or permanent resident of the United States.

''(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the application of any other relevant law, including section 2252 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 88 of title 18, United States Code, is amended by inserting after the item relating to section 1801 the following:

''1802. Certain activities relating to intimate visual depictions.''.

(c) CONFORMING AMENDMENT.—Section 2264(a) of title 18, United States Code, is amended by inserting '', or under section 1802 of this title'' before the period.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. WELCH. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate on the bill?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 412), as amended, was passed.

Mr. WELCH. I ask that the motion to reconsider be considered made and laid upon the table.

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

MORNING BUSINESS

REPRODUCTIVE FREEDOM FOR WOMEN ACT

Ms. BUTLER. Mr. President, I rise today to join my colleagues in strong support of the Reproductive Freedom for Women Act. I would like to start by thanking Leader SCHUMER for bringing this to the floor and Senator MURRAY for always showing up as a fierce champion for women's right to make their own reproductive health care decisions.

This commonsense approach affirms the right to abortion access and emphasizes the need to restore and strengthen the protections formerly enshrined in Roe v. Wade.

This should not be controversial—not when 28 million women in 21 States face ever-growing risks due to a lack of reproductive care options where they live; not when healthcare providers throughout our country have become the target of extremist legislators, who seek to punish those who deliver lifesaving care and treatments to their patients; not when our sons and daughters face a future where they are afforded fewer rights than their mothers and grandmothers.

We are living in a moment where patients' power to govern their own bodies is being snatched out of their hands and seized by far-right leaders in State courts and legislatures who won't quit until they have established a national abortion ban.

Ever since the Supreme Court issued it's devastating Dobbs decision, reversing nearly 50 years of settled law, these politicians have pulled every lever to put reproductive health care out of reach—on everything from IVF to contraception.

But while these extremists have worked nonstop to restrict reproductive freedom, they have been challenged at nearly every turn. The Biden-Harris administration and leaders in this Chamber have used every tool possible to stand in strong opposition to those who seek to turn back the clock and drag our Nation backwards.

Legislation like the Women's Health Protection Act, the Right to Contraception Act, the Freedom to Travel for Health Care Act, and numerous others take considerable steps to safeguard reproductive freedom across the board.

I am proud to serve more than 40 million Californians in a State where reproductive rights and protections have been advanced and strengthened.

While California has been a champion on this front, patients in neighboring States like Arizona have experienced extreme shifts in their reproductive rights following the Dobbs decision.

Two weeks ago, I chaired a Judiciary Subcommittee field hearing in Phoenix, AZ, to examine the ever-changing landscape of abortion rights in our Nation. During this hearing, I heard from advocates, patients, and providers, who were all directly affected by the Dobbs decision.

One witness included Dr. Misha Pangasa, a board-certified obstetrician and gynecologist who provides full spectrum reproductive health care in Phoenix. In her testimony, Dr. Pangasa spoke about the upheaval she has witnessed on the ground.

Regarding her patients, she stated, ''They wonder whether tomorrow, next week, or next month they will still have options if faced with a pregnancy complication. They wonder if I will be able to care for them, or have to send them to another state if they find themselves in a situation in which abortion is right for them.

''They wonder whether I'll even be allowed to counsel them through all their options, or if I'll be threatened with a lawsuit or prison time for even bringing up the possibility of abortion, like providers in other states have been. I see and hear their fear about the future every day.''

Stories from people like Dr. Pangasa demonstrate the urgency for Congress to pass legislation to protect a woman's right to choose. Surveys show that 8 in 10 Americans believe the government shouldn't meddle in patients' reproductive health. The bill introduced by Leader SCHUMER and Senator MURRAY supports the American majority's position, so I urge my colleagues to join me in getting this across the finish line.

THE SHIELDING CHILDREN'S RETINAS FROM EGREGIOUS EXPOSURE ON THE NET ACT

Mr. WYDEN. Mr. President, as a parent of young children, I certainly understand the impulse to shield children from harmful or inappropriate content online. That is why I wrote section 230 of the Communications Act back in 1996—to empower companies to offer tools that allow families to decide what content to block and filter for their children. However, the Shielding Children's Retinas from Egregious Exposure on the Net Act goes far beyond empowering parents and protecting kids—or any compelling governmental interest.

Instead, it would violate the privacy rights of every single American by requiring invasive and data-abusive age verification technology to access a broad swath of lawful adult content on the internet. Indeed, it would encourage platforms to verify any internet user attempting to access a broad array of websites that might host deemed-harmful content using the most common form of verification—a government-issued ID. Requiring websites to collect the IDs of everyone attempting to view adult content will inevitably lead to a privacy, national security, and counterintelligence disaster when adversaries and criminals obtain those records.

In addition, it would incentivize platforms to censor anything that might fit the bill's broad definition of content harmful to minors, to avoid investigations and fines, even if that content is

perfectly legal. Such censorship would undoubtedly include information about sexual health, LGBTQ+ content and, content from other marginalized or vulnerable groups.

Neither of these outcomes are good for the vital American rights of privacy and access to information. For this reason, I will object to any unanimous agreement to take up or pass the Shielding Children's Retinas from Egregious Exposure on the Net Act.

150TH ANNIVERSARY OF VANCEBORO, MAINE

Ms. COLLINS. Mr. President, on Saturday, July 20, the people of Vanceboro, ME, will gather for a day-long celebration of their town's 150th birthday. It is with pleasure that I recognize this landmark anniversary of a small town with a fascinating history.

Located at the headwaters of the St. Croix River that forms the international border between Maine and New Brunswick, Canada, the story of the region begins with the Passamaquoddy Nation, who have made the river and the Chiputenticook Lakes Chain their home for thousands of years. The reverence the People of the Dawn have for the natural beauty of the area continue to define the town today.

Drawn by the abundant forests and fast-moving waters of the St. Croix, the first European settlers harvested timber and established sawmills, followed by a leather tannery and a spool and clothespin factory. The community they built represents the best of smalltown Maine, where friends and neighbors know and care for one another, and everyone pitches in to help in times of need.

The namesake of the town, William Vance, is a remarkable figure in Maine history. Known as Old Vance, he fought for freedom in the American Revolution. During the War of 1812, he installed his own personal cannon on his riverfront property, which he called Mount Defiance, to deter any British incursion. When Maine was preparing for statehood in 1819, he served on the commission that wrote the Maine Constitution, and when our star was added to the American Flag a year later, Old Vance served in our first State legislature.

Vanceboro's location on the St. Croix River and the international border has led to some events of historical significance. Selected as the border crossing for the European and North American Railway in the 1860s, President Ulysses S. Grant and Lord Lisgar, Governor General of Canada, opened the rail line through Vanceboro with a ceremony at the border on October 19, 1871. The town's Civil War veterans manned the cannons that welcomed their general on what is still remembered as ''Vanceboro's Greatest Day.''

The rail line remained an important shipping route, and on February 2, 1915, the international railway bridge was bombed by a German Army reservist in an unsuccessful attempt to sabotage routes for troops and war materials that he suspected might be coming across then-neutral U.S. territory to fight the Germans. On April 21, 1917, just 2 weeks after our Nation entered the war, a British delegation led by Foreign Secretary Arthur Balfour, met with American military and diplomatic leaders at the Vanceboro train station to discuss the path forward to victory.

In addition to the town's 150th birthday, July 20 will also mark the re-opening of the Vanceboro Historical Society. The Society is a remarkable community initiative to tell the story of the region through artifact collections, guest speakers, and educational programs. Vanceboro's 150th year is a time to honor the great people of the community who have made the town such a welcoming place to call home. It is a pleasure to offer my congratulations and best wishes on this special day.

ADDITIONAL STATEMENTS

TRIBUTE TO RICK AMAN

● Mr. RISCH. Mr. President, with my colleagues Senator MIKE CRAPO and Congressman MIKE SIMPSON, I rise today to recognize the career and service of Dr. Rick Aman, president of the College of Eastern Idaho—CEI—in Idaho Falls. As president for more than 8 years, Dr. Aman's leadership and service will be missed by the CEI community and all of eastern Idaho.

Originally from Oregon, Dr. Aman was commissioned as a U.S. Air Force officer and spent 4 years as an Active-Duty pilot before returning to the Portland area as an Air Force Reserve instructor pilot. He retired as a lieutenant colonel after 21 years of service and 5,000 flight hours. Dr. Aman later earned a doctorate in community college leadership from Oregon State University.

Dr. Aman's community college administration career began in 1992 at Portland Community College where he spent 16 years in teaching and administrative positions at various campuses around Portland. Prior to his role at CEI, Dr. Aman was the vice president of instruction and student affairs at the College of Western Idaho—CWI—from 2008 to 2012. Dr. Aman led the then-startup CWI in instruction, curriculum development, and student affairs. In 2015, Dr. Aman joined Eastern Idaho Technical College—EITC—and was named the first president of College of Eastern Idaho, following the school's transition from a technical school to a community college.

While at CEI, Dr. Aman facilitated significant changes and collaborations between the school and community to better improve workforce training opportunities for students. In collaboration with the Idaho National Laboratory—INL—CEI students have access to work force training and internship experience. Thanks to INL's $1 million donation, CEI's new 90,000-square-foot Future Tech Building will be completed in 2026 and provide additional workforce training opportunities.

Dr. Aman successfully negotiated an articulation agreement with Idaho State University and separately received accreditation approval for CEI to offer bachelor's degrees in digital forensics and analytics and operations management, a significant accomplishment for a community college.

Among Dr. Aman's community involvement, he sits on the board of the Leaders in Nuclear Energy—LINE—Commission and is on the executive board for the Regional Economic Development Council in Eastern Idaho. Dr. Aman was appointed to the Western Interstate Commission on Higher Education—WICHE—Commission and serves on the executive commission as a representative from Idaho. He also serves on a variety of local nonprofit boards and is a member of many civic organizations.

It is our great honor to congratulate Dr. Rick Aman and thank him for his years of service. We wish him the best of luck following his retirement from the College of Eastern Idaho.●

RECOGNIZING THE 100TH ANNIVERSARY OF THE CALDWELL NIGHT RODEO

● Mr. RISCH. Mr. President, I rise today to recognize and celebrate the 100th anniversary of the Caldwell Night Rodeo. This weeklong event is a cherished tradition in Canyon County, showcasing the best of rodeo excellence and capturing the hearts of over 50,000 fans throughout 5 action-packed nights every year.

In 1922, the Idaho National Guard horse calvary unit faced disbandment by the Federal Government unless proper stables and a riding hall were constructed. The National Guard, in collaboration with the Caldwell commercial business club, established the Caldwell Amusement Association to raise funds for a new rodeo arena, grandstands, and a racetrack. The inaugural rodeo was held from October 2–4, 1924, in the form of a gymkhana. The event included drills, races, and contests, with the only traditional rodeo event being a bucking horse contest that attracted the top cowboys within a 50-mile radius.

The Caldwell Night Rodeo now stands among the Nation's Top 20 Professional Rodeos, ranks within the Top 5 Large Outdoor Rodeos, and pioneered the nighttime rodeo trend in the Pacific Northwest. The arena comes alive with over 700 top-tier participants and seven dynamic nightly events. The rodeo offers an immersive experience as the audience, consisting of ''Rowdies'' and traditional ''Civies,'' actively contribute to the vibrant atmosphere.

Through its mission to preserve and promote Western heritage, entertain the American family, and partner with

charities, youth, and nonprofit organizations, the Caldwell Night Rodeo has made a significant difference in the Caldwell community. With the help of over 500 volunteers and the support of more than 100 community business and media sponsors, the rodeo raises thousands of dollars each year for local causes. Since its establishment, the Caldwell Night Rodeo Foundation has granted more than $262,000 in youth scholarships, livestock purchases for 4H and FFA, and sponsored other youth activities. In addition to its charitable contributions, the Caldwell Night Rodeo is estimated to have an annual economic impact of $10 to $12 million to the city of Caldwell.

The Caldwell Night Rodeo serves as the hometown rodeo of the Man Up Crusade, a nonprofit organization that raises awareness of domestic violence at professional rodeo venues across the Nation. During Wednesday's events, attendees are encouraged to wear purple to stand up and ''man up'' against domestic violence. The Caldwell Night Rodeo also hosts a first responder family night, a cancer awareness night—known as CNR Strong—and Patriot Night to recognize servicemembers and veterans.

The Caldwell Night Rodeo's 100-year anniversary is a testament to its legacy and the remarkable impact on the community of Caldwell. We commend the organizers, volunteers, participants, and sponsors for their dedication and contributions to this outstanding event. May the Caldwell Night Rodeo continue to thrive and bring joy to the community for years to come.●

TRIBUTE TO SHERIFF ALAN C. JONES

● Mr. TILLIS. Mr. President, today I rise to recognize the remarkable career of Sheriff Alan C. Jones, a law enforcement officer who has dedicated over 35 years of his life to protecting and serving the citizens of Caldwell County.

His journey in law enforcement began in 1988, following his graduation from West Caldwell High School. Since 2007, he has been the sheriff of Caldwell County, leading a team of 120 employees who share his unwavering commitment to the safety and security of the county's residents.

Throughout his distinguished tenure in law enforcement, Sheriff Jones has pioneered community-based policing initiatives and served on several law enforcement-related commissions and committees, including the North Carolina Sheriffs' Training and Standards Commission and the North Carolina Sheriffs' Traumatic Incident Response Team. His exceptional service was recognized in 1994 when he was awarded Officer of the Year while serving as a police officer for the city of Lenoir. During his tenure at the Lenoir Police Department, he became one of the youngest officers in North Carolina history to attain the rank of lieutenant.

Since 2019, he has served as secretary of the North Carolina Sheriff's Association, where he has generously shared his wealth of experience to mentor newly elected sheriffs on how to better serve their communities.

Sheriff Jones' career has been marked by a deep love for public service and his community. I want to extend a heartfelt thank you to Sheriff Jones for his lifelong dedication to law enforcement and wish him and his family the very best as he retires and begins this new chapter of his life. Sheriff Jones represents the very best of law enforcement. North Carolina is proud of him and forever grateful for his service.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Kelly, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS DECLARED IN EXECUTIVE ORDER 13936 OF JULY 14 2020, WITH RESPECT TO THE SITUATION IN HONG KONG—PM 59

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

To The Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Hong Kong that was declared in Executive Order 13936 of July 14, 2020, is to continue in effect beyond July 14, 2024.

The situation with respect to Hong Kong, including recent actions taken by the People's Republic of China to fundamentally undermine Hong Kong's autonomy, continues to pose an unusual and extraordinary threat, which has its source in substantial part outside the United States, to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13936 with respect to the situation in Hong Kong.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *July 10, 2024*.

MESSAGE FROM THE HOUSE

At 10:14 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 7637. An act to prohibit the Secretary of Energy from prescribing or enforcing energy conservation standards for refrigerators, refrigerator-freezers, and freezers that are not cost-effective or technologically feasible, and for other purposes.

H.R. 7700. An act to prohibit the Secretary of Energy from prescribing or enforcing energy conservation standards for dishwashers that are not cost-effective or technologically feasible, and for other purposes.

MEASURES REFERRED

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

H.R. 7637. An act to prohibit the Secretary of Energy from prescribing or enforcing energy conservation standards for refrigerators, refrigerator-freezers, and freezers that are not cost-effective or technologically feasible, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 7700. An act to prohibit the Secretary of Energy from prescribing or enforcing energy conservation standards for dishwashers that are not cost-effective or technologically feasible, and for other purposes; to the Committee on Energy and Natural Resources.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 3044. A bill to redesignate the Mount Evans Wilderness as the ''Mount Blue Sky Wilderness'', and for other purposes (Rept. No. 118–189).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. SMITH:

S. 4650. A bill to establish a rental assistance program for low-income veteran families, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 4651. A bill to require agencies to use information and communications technology products obtained from original equipment manufacturers or authorized resellers, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CRAMER (for himself, Mrs. HYDE-SMITH, Mr. CORNYN, Mr. MARSHALL, Mr. RISCH, Mr. BUDD, Mr. SCOTT of Florida, Mr. CASSIDY, Mr. DAINES, Mr. CRAPO, Ms. LUMMIS, Mr. THUNE, Mr. COTTON, Mr. HOEVEN, Mr. SCOTT of South Carolina, Mr. MULLIN, Mr. BARRASSO, and Mrs. BLACKBURN):

S. 4652. A bill to amend chapter 44 of title 18, United States Code, to update certain

procedures applicable to commerce in firearms and remove certain Federal restrictions on interstate firearms transactions; to the Committee on the Judiciary.

By Mr. LEE (for himself and Mrs. BRITT):

S. 4653. A bill to repeal portions of a regulation issued by the State Superintendent of Education of the District of Columbia that require child care workers to have a degree, a certificate, or a minimum number of credit hours from an institution of higher education; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4654. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to allow Indian tribal governments to directly request fire management assistance declarations and grants, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUMENTHAL (for himself, Ms. BALDWIN, Ms. CORTEZ MASTO, Ms. HIRONO, Ms. KLOBUCHAR, Mr. MARKEY, Mr. PADILLA, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. SANDERS, and Mr. WYDEN):

S. 4655. A bill to provide protections for employees of, former employees of, and applicants for employment with Federal agencies, contractors, and grantees whose right to petition or furnish information to Congress is interfered with or denied; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4656. A bill to amend title 5, United States Code, concerning restrictions on the participation of certain Federal employees in partisan political activity, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KELLY (for himself and Mr. BUDD):

S. 4657. A bill to establish a grant program for education related to semiconductor manufacturing and related industries; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHMITT:

S. 4658. A bill to provide for the ongoing presence of certain structures at the Table Rock Lake project; to the Committee on Environment and Public Works.

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

S. 4659. A bill to require that the President's annual budget submission to Congress and any concurrent resolution on the budget include the ratio of the public debt to the estimated gross domestic product of the United States, and for other purposes; to the Committee on the Budget.

By Mr. BRAUN:

S. 4660. A bill to clarify that the baseline is based on current laws and the assumption of continuation of current levels of discretionary appropriations, and for other purposes; to the Committee on the Budget.

By Mr. BRAUN (for himself, Ms. ROSEN, Mrs. BLACKBURN, Mr. MARSHALL, Mr. RICKETTS, and Mr. SCOTT of Florida):

S. 4661. A bill to amend title 31, United States Code, to include information on improper payments under Federal programs, and for other purposes; to the Committee on the Budget.

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

S. 4662. A bill to strengthen congressional oversight of the Administrative Pay-As-You-Go Act of 2023, and for other purposes; to the Committee on the Budget.

By Mr. WYDEN (for himself, Mr. CRAPO, Mr. BENNET, Mr. LANKFORD, Mr. BROWN, Mr. BARRASSO, Mr. PETERS, Mr. YOUNG, Mr. WHITEHOUSE, Mr. RISCH, Mr. CARDIN, and Mr. TILLIS):

S. 4663. A bill to improve administration of the unemployment insurance program by expanding program integrity and anti-fraud activities and improving access to benefits, and for other purposes; to the Committee on Finance.

By Mr. MANCHIN (for himself and Ms. MURKOWSKI):

S. 4664. A bill to require the Secretary of Energy to establish a program to promote the use of artificial intelligence to support the missions of the Department of Energy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BRAUN (for himself, Mr. MANCHIN, Ms. ROSEN, Mrs. BLACKBURN, Mr. MARSHALL, Mr. RICKETTS, and Mr. SCOTT of Florida):

S. 4665. A bill to amend title 31, United States Code, to provide for a joint meeting of Congress to receive a presentation from the Comptroller General of the United States regarding the audited financial statement of the executive branch, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself, Ms. WARREN, Mr. SANDERS, Mr. WELCH, and Mr. BLUMENTHAL):

S. 4666. A bill to amend the Federal Election Campaign Act of 1971 to apply the ban on contributions and expenditures by foreign nationals under such Act to foreign-controlled, foreign-influenced, and foreign-owned domestic business entities, and for other purposes; to the Committee on Rules and Administration.

By Mr. PAUL:

S. 4667. A bill to amend title 31, United States Code, to establish the Life Sciences Research Security Board, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4668. A bill to amend section 1078 of the National Defense Authorization Act for Fiscal Year 2018 to increase the effectiveness of the Technology Modernization Fund, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 4669. A bill to amend title 40, United States Code, to require the submission of reports on certain information technology services funds to Congress before expenditures may be made, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COTTON:

S.J. Res. 101. A joint resolution disapproving the rule submitted by the Department of Health and Human Services relating to ''Designated Placement Requirements for LGBTQI plus Children; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 758. A resolution remembering the 32nd anniversary of the bombing of the Embassy of Israel in Buenos Aires on March 17, 1992, and the 30th anniversary of the bombing of the Argentine-Israeli Mutual Association building in Buenos Aires on July 18, 1994, and recommitting to efforts to uphold justice for the victims of the attacks; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Ms. STABENOW, Mr. DAINES, Mr. BENNET, Ms. KLOBUCHAR, Mr. MERKLEY, and Ms. DUCKWORTH):

S. Res. 759. A resolution recognizing the importance of the alliance between the United States and the Baltic States and expressing support for that alliance, including for the Baltic Security Initiative, amidst foreign aggression; to the Committee on Foreign Relations.

By Ms. CORTEZ MASTO (for herself and Mr. CRAMER):

S. Res. 760. A resolution expressing support for the designation of July 10, 2024, as Journeyman Lineworkers Recognition Day; considered and agreed to.

By Mr. SULLIVAN (for himself, Ms. BALDWIN, Mr. CRAMER, Ms. ROSEN, Mr. HOEVEN, Ms. KLOBUCHAR, Mr. RUBIO, Mr. HICKENLOOPER, Mr. VANCE, Mr. KAINE, Mr. RICKETTS, Mr. VAN HOLLEN, Mr. CASSIDY, Mr. BLUMENTHAL, Ms. STABENOW, Mr. KELLY, Ms. COLLINS, and Mr. PADILLA):

S. Res. 761. A resolution expressing support for the designation of the month of June 2024 as ''National Post-Traumatic Stress Awareness Month'' and June 27, 2024, as ''National Post-Traumatic Stress Awareness Day''; considered and agreed to.

By Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. HICKENLOOPER, Mr. CRAPO, Mr. RISCH, Mr. RICKETTS, Mrs. HYDE-SMITH, Mr. THUNE, Mr. CRAMER, Mr. HOEVEN, Ms. CORTEZ MASTO, Mr. CORNYN, Mr. MARSHALL, Mr. ROUNDS, and Mr. CRUZ):

S. Res. 762. A resolution designating July 27, 2024, as ''National Day of the American Cowboy''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 91

At the request of Mr. HAGERTY, the names of the Senator from Wyoming (Mr. BARRASSO) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 91, a bill to award a Congressional Gold Medal to 60 diplomats, in recognition of their bravery and heroism during the Holocaust.

S. 113

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

S. 633

At the request of Mr. PADILLA, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 633, a bill to award a Congressional Gold Medal to Everett Alvarez, Jr., in recognition of his service to the United States.

S. 663

At the request of Mr. MURPHY, the names of the Senator from Minnesota (Ms. SMITH), the Senator from New York (Mrs. GILLIBRAND), the Senator

from Maine (Mr. KING), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Colorado (Mr. BENNET), the Senator from Massachusetts (Ms. WARREN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Ohio (Mr. BROWN), the Senator from Delaware (Mr. COONS), the Senator from New Jersey (Mr. BOOKER), the Senator from Oregon (Mr. MERKLEY), the Senator from Montana (Mr. TESTER), and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 663, a bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer, and for other purposes.

S. 815

At the request of Mr. TESTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 1189

At the request of Mrs. CAPITO, the name of the Senator from Oklahoma (Mr. MULLIN) was added as a cosponsor of S. 1189, a bill to establish a pilot grant program to improve recycling accessibility, and for other purposes.

S. 1462

At the request of Mr. KENNEDY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 1462, a bill to amend title 18, United States Code, to improve the Law Enforcement Officers Safety Act of 2004 and provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

S. 1631

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1631, a bill to enhance the authority granted to the Department of Homeland Security and Department of Justice with respect to unmanned aircraft systems and unmanned aircraft, and for other purposes.

S. 1702

At the request of Ms. HIRONO, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 1702, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs that include the history of peoples of Asian, Native Hawaiian, and Pacific Islander descent in the settling and founding of America, the social, economic, and political environments that led to the development of discriminatory laws targeting Asians, Native Hawaiians, and Pacific Islanders and their relation to current events, and the impact and contributions of Asian Americans, Native Hawaiians, and Pacific Islanders to the development and enhancement of American life, United States history, literature, the economy, politics, body of laws, and culture, and for other purposes.

S. 1762

At the request of Mr. MURPHY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. 1762, a bill to prohibit the use of corporal punishment in schools, and for other purposes.

S. 1840

At the request of Ms. BALDWIN, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1840, a bill to amend the Public Health Service Act to reauthorize and improve the National Breast and Cervical Cancer Early Detection Program for fiscal years 2024 through 2028, and for other purposes.

S. 1856

At the request of Mr. BROWN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1856, a bill to amend the Tariff Act of 1930 to improve the administration of antidumping and countervailing duty laws, and for other purposes.

S. 1909

At the request of Mr. HEINRICH, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Vermont (Mr. WELCH) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 1909, a bill to amend title 18, United States Code, to prohibit the illegal modification of firearms, and for other purposes.

S. 1953

At the request of Mr. PADILLA, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1953, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received from State-based catastrophe loss mitigation programs.

S. 2217

At the request of Mr. VAN HOLLEN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2217, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 2458

At the request of Ms. KLOBUCHAR, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor 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. 2691

At the request of Mr. SCHATZ, the names of the Senator from Virginia (Mr. WARNER) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2691, a bill to require disclosures for AI-generated content, and for other purposes.

S. 3369

At the request of Mr. HEINRICH, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 3369, a bill to amend title 18, United States Code, to restrict the possession of certain firearms, and for other purposes.

S. 3482

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 3482, a bill to establish a multistakeholder advisory committee tasked with providing detailed recommendations to address challenges to transmitting geolocation information with calls to the 988 Suicide and Crisis Lifeline, and for other purposes.

S. 3485

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3485, a bill to amend title IV of the Social Security Act to establish requirements for biological fathers to pay child support for medical expenses incurred during pregnancy and delivery.

S. 3548

At the request of Mr. BRAUN, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 3548, a bill to amend the Public Health Service Act to provide for hospital and insurer price transparency.

S. 3692

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3692, a bill to prohibit the use of algorithmic systems to artificially inflate the price or reduce the supply of leased or rented residential dwelling units in the United States.

S. 4292

At the request of Mr. LEE, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 4292, a bill to amend the National Voter Registration Act of 1993 to require proof of United States citizenship to register an individual to vote in elections for Federal office, and for other purposes.

S. 4478

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 4478, a bill to amend title 49, United States Code, to prohibit access by certain individuals to certain areas of airports, and for other purposes.

S. 4513

At the request of Mrs. CAPITO, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 4513, a bill to expand eligibility for Junior Reserve Officers' Training Corps unit participation.

S. 4525

At the request of Mr. CASEY, the names of the Senator from Maine (Mr. KING) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 4525, a bill to amend

the Richard B. Russell National School Lunch Act to improve program requirements, and for other purposes.

S. 4554

At the request of Mrs. MURRAY, the names of the Senator from New Mexico (Mr. LUJÁN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Michigan (Mr. PETERS) and the Senator from Georgia (Mr. WARNOCK) were added as cosponsors of S. 4554, a bill to express support for protecting access to reproductive health care after the Dobbs v. Jackson decision on June 24, 2022.

S. 4563

At the request of Mr. RUBIO, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 4563, a bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

S. 4584

At the request of Mrs. SHAHEEN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 4584, a bill to amend the Internal Revenue Code of 1986 to allow a business credit for gain from the sale of real property for use as a manufactured home community, and for other purposes.

S. 4585

At the request of Mr. KELLY, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 4585, a bill to prohibit covered entities that receive financial assistance relating to semiconductors from purchasing certain semiconductor manufacturing equipment from foreign entities of concern or subsidiaries of foreign entities of concern, and for other purposes.

S. 4645

At the request of Mr. DURBIN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S. 4645, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service, and for other purposes.

S. RES. 739

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CORNYN), the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Res. 739, a resolution celebrating the historic anniversary of the June 24, 2022, decision of the Supreme Court of the United States in Dobbs v. Jackson Women's Health Organization.

AMENDMENT NO. 2080

At the request of Mr. MANCHIN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 2080 intended to be proposed to S. 4638, a bill to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 758—REMEMBERING THE 32ND ANNIVERSARY OF THE BOMBING OF THE EMBASSY OF ISRAEL IN BUENOS AIRES ON MARCH 17, 1992, AND THE 30TH ANNIVERSARY OF THE BOMBING OF THE ARGENTINE-ISRAELI MUTUAL ASSOCIATION BUILDING IN BUENOS AIRES ON JULY 18, 1994, AND RECOMMITTING TO EFFORTS TO UPHOLD JUSTICE FOR THE VICTIMS OF THE ATTACKS

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

S. RES. 758

Whereas, on March 17, 1992, a truck laden with explosives struck and detonated at the Embassy of Israel in Buenos Aires, Argentina, killing 29 people and wounding more than 200 others;

Whereas Argentina is home to the largest Jewish community in Latin America and the sixth largest in the world, outside Israel;

Whereas, in 1999, the Supreme Court of Argentina, after conducting an investigation, found that the Lebanese terrorist organization Hezbollah was responsible for the bombing, which claimed the lives of Israeli diplomats, their relatives, and numerous Argentine citizens and children;

Whereas 2 years after the bombing of the Embassy of Israel in Argentina, on July 18, 1994, a car bomb detonated at the Argentine Israelite Mutual Association (AMIA) Jewish Community Center building in Buenos Aires, killing 85 people and wounding more than 300 others, rendering it the deadliest terrorist attack in Argentina's history;

Whereas, for 25 years, the investigation into the AMIA bombing has been stymied by international inaction, political interference, investigative misconduct, and allegations of cover-ups, including the removal of the Federal judge in charge of the case in 2005 for supposed ''serious irregularities'' in his handling of the case;

Whereas, in October 2006, Argentine prosecutors Alberto Nisman and Marcelo Martín Burgos formally accused the Government of Iran of directing Hezbollah to carry out the AMIA bombing;

Whereas the Argentine prosecutors charged Iranian nationals as suspects in the AMIA bombing, including—

(1) Ali Fallahijan, Iran's former intelligence minister;

(2) Mohsen Rabbani, Iran's former cultural attaché in Buenos Aires;

(3) Ahmad Reza Asghari, a former Iranian diplomat posted to Argentina;

(4) Ahmad Vahidi, Iran's former defense minister;

(5) Ali Akbar Velayati, Iran's former foreign minister;

(6) Mohsen Rezaee, former chief commander of the Iranian Islamic Revolutionary Guard Corps;

(7) Ali Akbar Hashemi Rafsanjani, former President of Iran; and

(8) Hadi Soleimanpour, former Iranian ambassador to Argentina;

Whereas, in November 2007, the International Criminal Police Organization (INTERPOL) published Red Notices on 5 of the Iranian nationals and Hezbollah operative Ibrahim Hussein Berro;

Whereas those with INTERPOL Red Notices have repeatedly traveled internationally with impunity on more than 20 occasions since 2007;

Whereas, in May 2013, Argentine prosecutor Alberto Nisman published a 500-page report accusing the Government of Iran of establishing terrorist networks throughout Latin America;

Whereas, in January 2015, Mr. Nisman released the results of an investigation alleging that then-President Fernandez de Kirchner and then-Foreign Minister Timerman conspired to cover up Iranian involvement in the 1994 AMIA bombing and that they had agreed to negotiate immunity for Iranian suspects and secure the removal of the INTERPOL Red Notices;

Whereas Mr. Nisman was scheduled to present his findings to a commission of the Argentine National Congress on January 19, 2015, but on January 18, 2015, was found dead as the result of a gunshot wound to his head in his apartment in Buenos Aires;

Whereas, to date, no one has been brought to justice for the 1992 bombing of the Israeli Embassy in Argentina, the 1994 bombing of the AMIA Jewish Community Center in Buenos Aires, or the death of Argentine prosecutor Alberto Nisman;

Whereas the Third Federal Criminal and Correctional Court of Buenos Aires requested—

(1) on October 18, 2022, that Qatar detain Mohsen Rezaee; and

(2) on June 15, 2023, that Argentinian authorities and INTERPOL work together to apprehend Lebanese nationals Hussein Mounir Mouzannar, Ali Hussein Abdallah, Farouk Abdul Hay Omairi, and Abdallah Salman for the role of these individuals in the 1994 bombing of the AMIA Jewish Community Center; and

Whereas, in April 2024, the Supreme Court of Argentina found that Iran was responsible for the AMIA attack and declared it a crime against humanity: Now, therefore, be it

Resolved, That the Senate—

(1) reiterates its strongest condemnation of the 1992 attack on the Israeli Embassy in Argentina and the 1994 attack on the Argentine Israelite Mutual Association (AMIA) Jewish Community Center in Buenos Aires;

(2) honors the victims of the 1992 bombing of the Israeli Embassy in Argentina and the 1994 AMIA bombing and expresses its sympathy to the relatives of the victims who are still waiting for justice;

(3) underscores the concern of the United States regarding the continuing, decades-long delay in resolving the 1992 and 1994 terrorist attacks in Argentina and urges the President of the United States to offer technical assistance to the Government of Argentina to support the ongoing investigations;

(4) urges the Government of Argentina and the international community to continue efforts to bring the perpetrators of the March 17, 1992, and July 18, 1994, terrorist attacks to justice, including by—

(A) enforcing the Red Notices issued by the International Criminal Police Organization; and

(B) extending such Red Notices prior to expiration;

(5) calls upon the Government of Argentina to conclude the investigation into the murder of Alberto Nisman so the responsible individuals are brought to justice;

(6) commends the Government of Argentina for designating Hezbollah as a terrorist

organization and urges other United States allies and partners in Latin America and the Caribbean to do the same;

(7) commends the Government of Argentina for adopting the International Holocaust Remembrance Alliance working definition of antisemitism and encourages other partners and allies to do the same; and

(8) calls on the United States Government to continue to support efforts to hold Iran accountable for the AMIA attacks.

SENATE RESOLUTION 759—RECOGNIZING THE IMPORTANCE OF THE ALLIANCE BETWEEN THE UNITED STATES AND THE BALTIC STATES AND EXPRESSING SUPPORT FOR THAT ALLIANCE, INCLUDING FOR THE BALTIC SECURITY INITIATIVE, AMIDST FOREIGN AGGRESSION

Mr. DURBIN (for himself, Mr. GRASSLEY, Ms. STABENOW, Mr. DAINES, Mr. BENNET, Ms. KLOBUCHAR, Mr. MERKLEY, and Ms. DUCKWORTH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 759

Whereas the Republics of Estonia, Latvia, and Lithuania (referred to in this preamble as ''the Baltic States'') first declared independence in 1918, with the United States establishing diplomatic relations with the Baltic States on July 28, 1922, leading to a strong and unbroken partnership for more than a century;

Whereas the United States never recognized the occupation of the Baltic States by the Soviet Union after World War II and maintained continuous diplomatic relations with the Baltic States;

Whereas, in August 1989, approximately 2,000,000 people joined hands in the Baltic States to form a 373-mile human chain known as the ''Baltic Chain of Freedom'';

Whereas Lithuania became the first occupied Soviet republic to declare the restoration of independence on March 11, 1990, a move followed by Latvia on May 4, 1990, and Estonia on August 20, 1991;

Whereas, in January 1991, Soviet military forces tried unsuccessfully to quash the growing independence restoration movements of the Baltic States, leading to approximately 14 Lithuanian deaths, as well as 6 Latvian deaths and many injuries;

Whereas, in February and March 1991, the Estonian, Latvian, and Lithuanian people voted overwhelmingly for independence through referendums paving the path for democracy and freedom and the fall of the Soviet Union;

Whereas, since the restoration of independence, the Baltic States have served as models of democratic governance that share values with the United States, including strong institutions, respect for civil liberties and the rule of law, and modern market economies;

Whereas the Baltic States continue to demonstrate their enduring commitment to democratic values, peace, and security through their membership and active participation in the North Atlantic Treaty Organization (referred to in this preamble as ''NATO''), the European Union, and the Organization for Economic Cooperation and Development;

Whereas the Baltic States have been loyal NATO allies and demonstrated their commitment to transatlantic security by exceeding the NATO defense spending goal of not less than 2 percent of gross domestic product per year;

Whereas, since the 2022 Russian full-scale invasion of Ukraine, the Baltic States have demonstrated significant support for Ukraine by providing between 1.3 and 1.6 percent of their gross domestic product in military and humanitarian aid to Ukraine and welcoming more than 130,000 Ukrainian refugees;

Whereas the Baltic States have faced Russian intimidation, espionage, and cyberattacks since the restoration of independence, and have created total defense strategies to counter aggression by the Russian Federation;

Whereas the Russian Federation continues to pursue an aggressive disinformation campaign against the Baltic States, including intimidation of Western civilians and troops stationed in Europe and abroad through hacking, propaganda, and other cyberattacks, and has increased air provocations across the Baltic States, including disruptions of civilian air traffic;

Whereas the unilateral removal of buoys on the Narva River on the Estonian-Russian border in May 2024 by the Russian Federation was another attempt to provoke a NATO ally and illustrates disregard for sovereignty and territorial integrity by the Russian Federation;

Whereas the Republic of Belarus has embraced the aggression of the Russian Federation by hosting its tactical nuclear weapons and Wagner Group mercenaries, and by inciting insecurity at its border with Lithuania and Poland by pushing migrants over the border;

Whereas Lithuania has faced severe economic and diplomatic coercion from the People's Republic of China after the establishment of a trade relationship with Taiwan;

Whereas the presence of the United States Armed Forces in the Baltic States and Poland ensures regional security and complements NATO efforts to strengthen its deterrence and defense posture within the eastern flank of NATO, including an Enhanced Forward Presence posture in the Baltic States, which host multinational NATO battlegroups; and

Whereas dedicated funding for the Baltic Security Initiative since fiscal year 2021 has helped strengthen United States security cooperation with the Baltic States as well as enhance the national deterrent capabilities of the Baltic States and further develop NATO integration and interoperability: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms the commitment of the United States to the security of Estonia, Latvia, and Lithuania through the enduring transatlantic participation of the United States in the North Atlantic Treaty Organization alliance;

(2) supports continued security assistance for Estonia, Latvia, and Lithuania, including through the Baltic Security Initiative, to further strengthen transatlantic ties; and

(3) recognizes the contribution of the Estonian, Latvian, and Lithuanian people to transatlantic security and defense while facing constant aggression by the Russian Federation, the Republic of Belarus, and the People's Republic of China.

SENATE RESOLUTION 760—EXPRESSING SUPPORT FOR THE DESIGNATION OF JULY 10, 2024, AS JOURNEYMAN LINEWORKERS RECOGNITION DAY

Ms. CORTEZ MASTO (for herself and Mr. CRAMER) submitted the following resolution; which was considered and agreed to:

S. RES. 760

Whereas the United States relies on safe, reliable, affordable, and clean electricity to power its economy, as well as homes, businesses, industries and manufacturers, colleges and universities, schools, hospitals, cities, and communities, and so much more;

Whereas journeyman lineworkers play a critical role in keeping the United States energy grid running 24 hours a day, 7 days a week, 365 days a year;

Whereas journeyman lineworkers perform heroic services during national and regional disasters, including hurricanes, wildfires, tornadoes, and ice storms, and also work in tough terrain, extreme heat, and cold areas of the country;

Whereas journeyman lineworkers consistently work long hours often under dangerous conditions to restore power;

Whereas journeyman lineworkers put their lives on the line every day to ensure the delivery of safe and reliable power to the United States, and its territories;

Whereas July 10, 2024, marks the 128th anniversary of the death of Henry Miller, the first president of the International Brotherhood of Electrical Workers, who was killed in the line of duty while trying to restore electricity during an outage in Washington, D.C.; and

Whereas there should be a day to honor the hundreds of thousands of men and women who have also put their lives on the line over the past 128 years to provide skillful service in times of local or national crisis: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of July 10, 2024, as Journeyman Lineworkers Recognition Day;

(2) honors and recognizes the contributions and sacrifices of countless journeyman lineworkers who often place themselves in harm's way to serve their customers and their communities; and

(3) encourages the people of the United States to observe Journeyman Lineworkers Recognition Day with appropriate reflection.

SENATE RESOLUTION 761—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE MONTH OF JUNE 2024 AS ''NATIONAL POST-TRAUMATIC STRESS AWARENESS MONTH'' AND JUNE 27, 2024, AS ''NATIONAL POST-TRAUMATIC STRESS AWARENESS DAY''

Mr. SULLIVAN (for himself, Ms. BALDWIN, Mr. CRAMER, Ms. ROSEN, Mr. HOEVEN, Ms. KLOBUCHAR, Mr. RUBIO, Mr. HICKENLOOPER, Mr. VANCE, Mr. KAINE, Mr. RICKETTS, Mr. VAN HOLLEN, Mr. CASSIDY, Mr. BLUMENTHAL, Ms. STABENOW, Mr. KELLY, Ms. COLLINS, and Mr. PADILLA) submitted the following resolution; which was considered and agreed to:

S. RES. 761

Whereas the brave men and women of the Armed Forces, who proudly serve the United States, risk their lives to protect the freedom, health, and welfare of the people of the United States, and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being;

Whereas nearly 2,800,000 members of the Armed Forces have deployed overseas since the events of September 11, 2001, and have served in places such as Afghanistan and Iraq;

Whereas the current generation of men and women in the Armed Forces has sustained a

high rate of operational deployments, with many members of the Armed Forces serving overseas multiple times, placing those members at high risk of enduring traumatic combat stress;

Whereas, when left untreated, exposure to traumatic combat stress can lead to severe and chronic post-traumatic stress responses, commonly referred to as post-traumatic stress disorder (referred to in this preamble as ''PTSD'') or post-traumatic stress injury;

Whereas many men and women of the Armed Forces and veterans who served before September 11, 2001, live with mental health needs from post-traumatic stress and remain at risk;

Whereas the Secretary of Veterans Affairs reports that approximately—

(1) 11 to 20 percent of veterans who served in Operation Iraqi Freedom or Operation Enduring Freedom have PTSD in a given year;

(2) 12 percent of veterans who served in the Persian Gulf war have PTSD in a given year; and

(3) 30 percent of veterans who served in the Vietnam era have had PTSD in their lifetimes;

Whereas the diagnosis known as PTSD was initially formulated in 1980 by the American Psychiatric Association to describe and categorize the symptoms and behavioral complications of severe traumatic stress;

Whereas the symptoms and behavioral complications of severe traumatic stress have historically been unjustly portrayed in the media, stigmatizing individuals living with post traumatic stress;

Whereas electro-magnetic imaging has shown that severe traumatic stress causes physical changes in the brain;

Whereas many post-traumatic stress responses remain unreported, undiagnosed, and untreated due to—

(1) a lack of awareness about post-traumatic stress and the persistent stigma associated with mental health conditions; and

(2) a lack of access to mental health treatment;

Whereas, without timely redress, traumatic stress responses can worsen over time and lead to severe consequences, including self-harm;

Whereas exposure to trauma during service in the Armed Forces can lead to post-traumatic stress;

Whereas post-traumatic stress significantly increases the risk of anxiety, depression, homelessness, substance abuse, and suicide, especially if left untreated;

Whereas public perceptions of post-traumatic stress have created challenges for veterans seeking employment;

Whereas the Department of Defense, the Department of Veterans Affairs, and veterans service organizations, as well as the larger medical community, both private and public, have made significant advances in the identification, prevention, diagnosis, and treatment of post-traumatic stress and the symptoms of post-traumatic stress, but many challenges remain;

Whereas increased understanding of post-traumatic stress can help to eliminate the stigma attached to the mental health issues of post-traumatic stress;

Whereas additional efforts are needed to find further ways to eliminate the stigma associated with post-traumatic stress, including the recognition that post-traumatic stress is often a reparable injury, and examination of how post-traumatic stress is portrayed by the media;

Whereas timely and appropriate treatment of post-traumatic stress responses can diminish complications and prevent suicides; and

Whereas the designation of a National Post-Traumatic Stress Awareness Month and a National Post-Traumatic Stress Awareness Day raises public awareness about issues related to post-traumatic stress, reduces the associated stigma, and helps ensure that those individuals suffering from the invisible wounds of war receive proper treatment: Now, therefore, be it

Resolved, That the Senate—

(1) designates—

(A) June 2024 as ''National Post-Traumatic Stress Awareness Month''; and

(B) June 27, 2024, as ''National Post-Traumatic Stress Awareness Day'';

(2) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense, as well as the entire medical community, to educate members of the Armed Forces, veterans, the families of members of the Armed Forces and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress;

(3) supports efforts by the Secretary of Veterans Affairs and the Secretary of Defense to foster cultural change around the issue of post-traumatic stress, understanding that personal interactions can save lives and advance treatment;

(4) encourages the leadership of the Armed Forces to support appropriate treatment of men and women of the Armed Forces who suffer from post-traumatic stress; and

(5) recognizes the impact of post-traumatic stress on the spouses and families of members of the Armed Forces and veterans.

SENATE RESOLUTION 762—DESIGNATING JULY 27, 2024, AS ''NATIONAL DAY OF THE AMERICAN COWBOY''

Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. HICKENLOOPER, Mr. CRAPO, Mr. RISCH, Mr. RICKETTS, Mrs. HYDE-SMITH, Mr. THUNE, Mr. CRAMER, Mr. HOEVEN, Ms. CORTEZ MASTO, Mr. CORNYN, Mr. MARSHALL, Mr. ROUNDS, and Mr. CRUZ) submitted the following resolution; which was considered and agreed to:

S. RES. 762

Whereas pioneering men and women, recognized as ''cowboys'', helped to establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy, who lives off the land and works to protect and enhance the environment, is an excellent steward of the land and its creatures;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the United States who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, making rodeo one of the most-watched sports in the United States;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 27, 2024, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2116. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2117. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2118. Mr. COONS (for himself, Mr. GRAHAM, Mr. TILLIS, Mr. KING, Mr. HEINRICH, Mr. WHITEHOUSE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2119. Ms. HASSAN (for herself, Mr. CASSIDY, Mr. SCHMITT, and Mr. KELLY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2120. Mr. MANCHIN (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2121. Mr. PETERS (for himself and Mr. HAWLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2122. Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2123. Mr. SCHMITT (for himself and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2124. Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2125. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2126. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2127. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2128. Mr. DURBIN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2129. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2130. Mr. DURBIN (for himself, Mr. BOOZMAN, Mrs. SHAHEEN, Mr. CASSIDY, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S.

4638, supra; which was ordered to lie on the table.

SA 2131. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2132. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2133. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2134. Mr. DURBIN (for himself, Mr. WARNOCK, Mr. BOOKER, Mr. BLUMENTHAL, Ms. BUTLER, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2135. Mr. DURBIN (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2136. Mr. REED (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2137. Mrs. GILLIBRAND (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2138. Mr. COONS (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2139. Mrs. MURRAY (for herself, Mr. TUBERVILLE, Mr. LUJAN, and Mr. ROMNEY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2140. Mr. LUJAN (for himself, Mr. ROMNEY, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2141. Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2142. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2143. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2144. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2145. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2146. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2147. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2148. Mr. CORNYN (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2149. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2150. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2151. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2152. Mr. CORNYN (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2153. Mr. CORNYN (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2154. Mr. CORNYN (for himself, Mr. WHITEHOUSE, Mr. GRASSLEY, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2155. Mr. CORNYN (for himself, Mr. COONS, Mrs. SHAHEEN, and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2156. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2157. Mr. COONS (for himself, Mr. CORNYN, Ms. HIRONO, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2158. Mr. KELLY (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2159. Mr. PETERS (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2160. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2161. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2162. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2163. Mr. SULLIVAN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2164. Mr. CORNYN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2165. Mr. CORNYN (for himself, Mr. CASEY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2166. Mr. HAGERTY (for himself and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2167. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2168. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2169. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2170. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2171. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2172. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2173. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2174. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2175. Ms. CORTEZ MASTO (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2176. Ms. CORTEZ MASTO (for herself and Mr. MORAN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2177. Ms. CORTEZ MASTO (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2178. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2179. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2180. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2181. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2182. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2183. Mr. WYDEN (for himself, Ms. LUMMIS, and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2184. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2185. Mr. WYDEN (for himself and Mr. SCHMITT) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2186. Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2187. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2188. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2189. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2190. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2191. Mr. REED (for himself, Ms. COLLINS, Mr. COONS, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2192. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2193. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2194. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2195. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2196. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2197. Mr. REED (for himself and Mrs. BRITT) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2198. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2199. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2200. Ms. KLOBUCHAR (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2201. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2202. Ms. KLOBUCHAR (for herself, Mr. HAWLEY, and Mr. COONS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2203. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2204. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2205. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2206. Mrs. CAPITO (for herself, Mr. BOOKER, Mr. CORNYN, Mr. WELCH, Mr. CRAMER, and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2207. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2208. Mr. SCHUMER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2209. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2210. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2211. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2212. Mr. COONS (for himself, Ms. MURKOWSKI, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2213. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2214. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2215. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2216. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. ROSEN, Mr. CRUZ, Mr. PETERS, Mr. SCOTT of Florida, Mr. MERKLEY, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2217. Mr. REED (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2218. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2219. Mr. TESTER (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2220. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2221. Mr. TESTER (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2222. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2223. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2224. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2225. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2226. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2227. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2228. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2229. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2230. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2231. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2232. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2233. Mr. TILLIS (for himself and Mr. BUDD) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2234. Mr. HOEVEN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2235. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2236. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2237. Mr. CORNYN (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2238. Mr. CORNYN (for himself, Mr. LUJAN, Mr. SCOTT of Florida, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2239. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2240. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2241. Mr. SCHATZ (for himself, Ms. MURKOWSKI, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2242. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2243. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2244. Mrs. SHAHEEN (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2245. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2246. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2247. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2248. Mr. WELCH (for Ms. KLOBUCHAR) proposed an amendment to the bill S. 412, to provide that it is unlawful to knowingly distribute private intimate visual depictions with reckless disregard for the individual's lack of consent to the distribution, and for other purposes.

TEXT OF AMENDMENTS

SA 2116. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPEAL OF LIMITATION ON USE OF FUNDS BY SECRETARY OF VETERANS AFFAIRS RELATING TO REPORTING OF THOSE ADJUDICATED AS MENTAL DEFECTIVE.

Section 413 of division A of the Consolidated Appropriations Act, 2024 (Public Law 118–42) is hereby repealed.

SA 2117. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 2857. MILITARY INSTALLATION RESILIENCE PROJECT ACCELERATION PROGRAM.

(a) ESTABLISHMENT OF PROGRAM.—Subchapter I of chapter 169 of title 10, United States Code, is amended by inserting after section 2815a the following new section:

''§ 2815b. Military Installation Resilience Project Acceleration Program

''(a) ESTABLISHMENT.—There is established in the Office of the Secretary of Defense a program to be known as the 'Military Installation Resilience Project Acceleration Program' (in this section referred to as the 'Program').

''(b) PURPOSE.—The Program shall be conducted for the purpose of accelerating the planning for and implementation of projects and other actions on or related to a military installation that are—

''(1) addressed in the military installation resilience component of installation master plans developed in accordance with section 2864(c) of this title;

''(2) identified as current or potential military installation resilience projects under section 2815 of this title;

''(3) identified as current or potential projects for the improvement of stormwater management in accordance with section 2815a of this title;

''(4) identified as suitable to preserve or enhance the climate resilience of defense access roads in accordance with section 210 of title 23;

''(5) identified as related to military installation resilience in a current or potential intergovernmental support agreement under section 2679 of this title;

''(6) identified as related to establishing and supporting—

''(A) resilience coordinators for sentinel landscapes designated in accordance with section 2693 of this title; or

''(B) Interagency Regional Coordinators established under section 2872 of the National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 2864 note); or

''(7) identified as related to conducting flood risk management studies or projects on military installations or operational ranges.

''(c) IDENTIFICATION OF PROJECTS AND OTHER ACTIONS.—The Secretary of Defense shall establish a merit-based process for identifying projects and other actions suitable for funding through the Program.

''(d) TRANSFER AUTHORITY.—(1) To accomplish the purpose under subsection (b), amounts appropriated for the Program may be transferred by the Secretary of Defense to any of the following accounts of the Department of Defense:

''(A) Operation and maintenance accounts.

''(B) Research, development, test, and evaluation accounts.

''(C) Military construction accounts.

''(D) Minor military construction accounts.

''(2) An amount transferred under paragraph (1) shall be—

''(A) merged with and deemed to increase the amount authorized and appropriated for the account to which the amount was transferred by an amount equal to the amount so transferred; and

''(B) available for the same purposes as amounts in the account to which transferred.

''(3) The transfer authority under this subsection is in addition to any other transfer authority available to the Department of Defense.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require or enable any official of the Department of Defense to provide funding under this section pursuant to a community project funding request, as defined in the Rules of the House of Representatives, or a congressionally directed spending item, as defined in the Standing Rules of the Senate.

''(f) ANNUAL REPORTS.—(1) Not later than March 1 of each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Program.

''(2) Each report under paragraph (1) shall include the following:

''(A) A description of the nature and status of the projects or actions undertaken in whole or part with funds appropriated for the Program.

''(B) An assessment of the effectiveness of such projects or actions as part of a long-term strategy—

''(i) to ensure the resilience of military installations, key supporting civilian infrastructure, and defense access roads; and

''(ii) to improve the management of stormwater on or related to a military installation.

''(C) An evaluation of the methodology and criteria used to select and to establish priorities for projects and actions funded in whole or part with funds appropriated for the Program.

''(D) Such recommendations as the Secretary of Defense considers appropriate for legislative or administrative action to improve the efficiency and effectiveness of the Program.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2815a the following new item:

''2815b. Military Installation Resilience Project Acceleration Program.''.

SA 2118. Mr. COONS (for himself, Mr. GRAHAM, Mr. TILLIS, Mr. KING, Mr. HEINRICH, Mr. WHITEHOUSE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle G—United States Foundation for International Conservation

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''United States Foundation for International Conservation Act of 2024''.

SEC. 1292. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) BOARD.—The term ''Board'' means the Board of Directors established pursuant to section 1294(a).

(3) ELIGIBLE COUNTRY.—The term ''eligible country'' means any country described in section 1297(b).

(4) ELIGIBLE PROJECT.—The term ''eligible project'' means any project described in section 1297(a)(2).

(5) EXECUTIVE DIRECTOR.—The term ''Executive Director'' means the Executive Director of the Foundation hired pursuant to section 1294(b).

(6) FOUNDATION.—The term ''Foundation'' means the United States Foundation for International Conservation established pursuant to section 1293(a).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of State.

SEC. 1293. UNITED STATES FOUNDATION FOR INTERNATIONAL CONSERVATION.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish the United States Foundation for International Conservation, which shall be operated as a charitable, nonprofit corporation.

(2) INDEPENDENCE.—The Foundation is not an agency or instrumentality of the United States Government.

(3) TAX-EXEMPT STATUS.—The Board shall take all necessary and appropriate steps to ensure that the Foundation is an organization described in subsection (c) of section 501 of the Internal Revenue Code of 1986, which exempt the organization from taxation under subsection (a) of such section.

(4) TERMINATION OF OPERATIONS.—The Foundation shall terminate operations on the date that is 10 years after the date on which the Foundation becomes operational, in accordance with—

(A) a plan for winding down the activities of the Foundation that the Board shall submit to the appropriate congressional committees not later than 180 days before such termination date; and

(B) the bylaws established pursuant to section 1294(b)(13).

(b) PURPOSES.—The purposes of the Foundation are—

(1) to provide grants for the responsible management of designated priority primarily protected and conserved areas in eligible countries that have a high degree of biodiversity or species and ecosystems of significant ecological value;

(2) to promote responsible, long-term management of primarily protected and conserved areas and their contiguous buffer zones;

(3) to incentivize, leverage, accept, and effectively administer governmental and nongovernmental funds, including donations from the private sector, to increase the availability and predictability of financing for responsible, long-term management of

primarily protected and conserved areas in eligible countries;

(4) to help close critical gaps in public international conservation efforts in eligible countries by—

(A) increasing private sector investment, including investments from philanthropic entities; and

(B) collaborating with partners providing bilateral and multilateral financing to support enhanced coordination, including public and private funders, partner governments, local protected areas authorities, and private and nongovernmental organization partners;

(5) to identify and financially support viable projects that—

(A) promote responsible, long-term management of primarily protected and conserved areas and their contiguous buffer zones in eligible countries, including support for the management of terrestrial, coastal, freshwater, and marine protected areas, parks, community conservancies, Indigenous reserves, conservation easements, and biological reserves; and

(B) provide effective area-based conservation measures, consistent with best practices and standards for environmental and social safeguards; and

(6) to coordinate with, consult, and otherwise support and assist, governments, private sector entities, local communities, Indigenous Peoples, and other stakeholders in eligible countries in undertaking biodiversity conservation activities—

(A) to achieve measurable and enduring biodiversity conservation outcomes; and

(B) to improve local security, governance, food security, and economic opportunities.

(c) PLAN OF ACTION.—

(1) IN GENERAL.—Not later than 6 months after the establishment of the Foundation, the Executive Director shall submit for approval from the Board an initial 3-year Plan of Action to implement the purposes of this subtitle, including—

(A) a description of the priority actions to be undertaken by the Foundation over the proceeding 3-year period, including a timeline for implementation of such priority actions;

(B) descriptions of the processes and criteria by which—

(i) eligible countries, in which eligible projects may be selected to receive assistance under this subtitle, will be identified;

(ii) grant proposals for Foundation activities in eligible countries will be developed, evaluated, and selected; and

(iii) grant implementation will be monitored and evaluated;

(C) the projected staffing and budgetary requirements of the Foundation during the proceeding 3-year period.

(D) a plan to maximize commitments from private sector entities to fund the Foundation.

(2) SUBMISSION.—The Executive Director shall submit the initial Plan of Action to the appropriate congressional committees not later than 5 days after the Plan of Action is approved by the Board.

(3) UPDATES.—The Executive Director shall annually update the Plan of Action and submit each such updated plan to the appropriate congressional committees not later that 5 days after the update plan is approved by the Board.

SEC. 1294. GOVERNANCE OF THE FOUNDATION.

(a) EXECUTIVE DIRECTOR.—There shall be in the Foundation an Executive Director, who shall—

(1) manage the Foundation; and

(2) report to, and be under the direct authority, of the Board.

(b) BOARD OF DIRECTORS.—

(1) GOVERNANCE.—The Foundation shall be governed by a Board of Directors, which—

(A) shall perform the functions specified to be carried out by the Board under this subtitle; and

(B) may prescribe, amend, and repeal bylaws, rules, regulations, and procedures governing the manner in which the business of the Foundation may be conducted and in which the powers granted to it by law may be exercised.

(2) MEMBERSHIP.—The Board shall be composed of—

(A) the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Interior, the Chief of the United States Forest Service, and the Administrator of the National Oceanic and Atmospheric Administration, or the Senate-confirmed designees of such officials; and

(B) 8 other individuals, who shall be appointed by the Secretary, in consultation with the members of the Board described in subparagraph (A), the Speaker and Minority Leader of the House of Representatives, and the President Pro Tempore and Minority Leader of the Senate, of whom—

(i) 4 members shall be private-sector donors making financial contributions to the Foundation; and

(ii) 4 members shall be independent experts who, in addition to meeting the qualification requirements described in paragraph (3), represent diverse points of view and diverse geographies, to the maximum extent practicable.

(3) QUALIFICATIONS.—Each member of the Board appointed pursuant to paragraph (2)(B) shall be knowledgeable and experienced in matters relating to—

(A) international development;

(B) protected area management and the conservation of global biodiversity, fish and wildlife, ecosystem restoration, adaptation, and resilience; and

(C) grantmaking in support of international conservation.

(4) POLITICAL AFFILIATION.—Not more than 5 of the members appointed to the Board pursuant to paragraph (2)(B) may be affiliated with the same political party.

(5) CONFLICTS OF INTEREST.—Any individual with business interests, financial holdings, or controlling interests in any entity that has sought support, or is receiving support, from the Foundation may not be appointed to the Board during the 5-year period immediately preceding such appointment.

(6) CHAIRPERSON.—The Board shall elect, from among its members, a Chairperson, who shall serve for a 2-year term.

(7) TERMS; VACANCIES.—

(A) TERMS.—

(i) IN GENERAL.—The term of service of each member of the Board appointed pursuant to paragraph (2)(B) shall be not more than 5 years.

(ii) INITIAL APPOINTED DIRECTORS.—Of the initial members of the Board appointed pursuant to paragraph (2)(B)—

(I) 4 members, including at least 2 private-sector donors making financial contributions to the Foundation, shall serve for 4 years; and

(II) 4 members shall serve for 5 years, as determined by the Chairperson of the Board.

(B) VACANCIES.—Any vacancy in the Board—

(i) shall be filled in the manner in which the original appointment was made; and

(ii) shall not affect the power of the remaining appointed members of the Board to execute the duties of the Board.

(8) QUORUM.—A majority of the current membership of the Board, including the Secretary or the Secretary's designee, shall constitute a quorum for the transaction of Foundation business.

(9) MEETINGS.—

(A) IN GENERAL.—The Board shall meet not less frequently than annually at the call of the Chairperson. Such meetings may be in person, virtual, or hybrid.

(B) INITIAL MEETING.—Not later than 60 days after the Board is established pursuant to section 1293(a), the Secretary of State shall convene a meeting of the ex-officio members of the Board and the appointed members of the Board to incorporate the Foundation.

(C) REMOVAL.—Any member of the Board appointed pursuant to paragraph (2)(B) who misses 3 consecutive regularly scheduled meetings may be removed by a majority vote of the Board.

(10) REIMBURSEMENT OF EXPENSES.—

(A) IN GENERAL.—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred in the performance of the duties of the Foundation.

(B) LIMITATION.—Expenses incurred outside the United States may be reimbursed under this paragraph if at least 2 members of the Board concurrently incurred such expenses. Such reimbursements—

(i) shall be available exclusively for actual costs incurred by members of the Board up to the published daily per diem rate for lodging, meals, and incidentals; and

(ii) shall not include first-class, business-class, or travel in any class other than economy class or coach class.

(C) OTHER EXPENSES.—All other expenses, including salaries for officers and staff of the Foundation, shall be established by a majority vote of the Board, as proposed by the Executive Director on no less than an annual basis.

(11) NOT FEDERAL EMPLOYEES.—Appointment as a member of the Board and employment by the Foundation does not constitute employment by, or the holding of an office of, the United States for purposes of any Federal law.

(12) DUTIES.—The Board shall—

(A) establish bylaws for the Foundation in accordance with paragraph (13);

(B) provide overall direction for the activities of the Foundation and establish priority activities;

(C) carry out any other necessary activities of the Foundation;

(D) evaluate the performance of the Executive Director;

(E) take steps to limit the administrative expenses of the Foundation; and

(F) not less frequently than annually, consult and coordinate with stakeholders qualified to provide advice, assistance, and information regarding effective protected and conserved area management.

(13) BYLAWS.—

(A) IN GENERAL.—The bylaws required to be established under paragraph (12)(A) shall include—

(i) the specific duties of the Executive Director;

(ii) policies and procedures for the selection of members of the Board and officers, employees, agents, and contractors of the Foundation;

(iii) policies, including ethical standards, for—

(I) the acceptance, solicitation, and disposition of donations and grants to the Foundation; and

(II) the disposition of assets of the Foundation upon the dissolution of the Foundation;

(iv) policies that subject all implementing partners, employees, fellows, trainees, and other agents of the Foundation (including ex-officio members of the Board and appointed members of the Board) to stringent ethical and conflict of interest standards;

(v) removal and exclusion procedures for implementing partners, employees, fellows,

trainees, and other agents of the Foundation (including ex-officio members of the Board and appointed members of the Board) who fail to uphold the ethical and conflict of interest standards established pursuant to clause (iii);

(vi) policies for winding down the activities of the Foundation upon its dissolution, including a plan—

(I) to return unspent appropriations to the Treasury of the United States; and

(II) to donate unspent private and philanthropic contributions to projects that align with the goals and requirements described in section 1297;

(vii) policies for vetting implementing partners and grantees to ensure the Foundation does not provide grants to for profit entities whose primary objective is activities other than conservation activities; and

(viii) clawback policies and procedures to be incorporated into grant agreements to ensure compliance with the policies referred to in clause (vii).

(B) REQUIREMENTS.—The Board shall ensure that the bylaws of the Foundation and the activities carried out under such bylaws do not—

(i) reflect unfavorably on the ability of the Foundation to carry out activities in a fair and objective manner; or

(ii) compromise, or appear to compromise, the integrity of any governmental agency or program, or any officer or employee employed by, or involved in, a governmental agency or program.

(c) FOUNDATION STAFF.—Officers and employees of the Foundation—

(1) may not be employees of, or hold any office in, the United States Government;

(2) may not serve in the employ of any nongovernmental organization, project, or person related to or affiliated with any grantee of the Foundation while employed by the Foundation;

(3) may not receive compensation from any other source for work performed in carrying out the duties of the Foundation while employed by the Foundation; and

(4) should not receive a salary at a rate that is greater than the maximum rate of basic pay authorized for positions at level I of the Executive Schedule under section 5312 of title 5, United States Code.

(d) LIMITATION AND CONFLICTS OF INTERESTS.—

(1) POLITICAL PARTICIPATION.—The Foundation may not—

(A) lobby for political or policy issues; or

(B) participate or intervene in any political campaign in any country.

(2) FINANCIAL INTERESTS.—As determined by the Board and set forth in the bylaws established pursuant to subsection (b)(13), and consistent with best practices, any member of the Board or officer or employee of the Foundation shall be prohibited from participating, directly or indirectly, in the consideration or determination of any question before the Foundation affecting—

(A) the financial interests of such member of the Board, or officer or employee of the Foundation, not including such member's Foundation expenses and compensation; and

(B) the interests of any corporation, partnership, entity, or organization in which such member of the Board, officer, or employee has any fiduciary obligation or direct or indirect financial interest.

(3) RECUSALS.—Any member of the Board that has a business, financial, or familial interest in an organization or community seeking support from the Foundation shall recuse himself or herself from all deliberations, meetings, and decisions concerning the consideration and decision relating to such support.

(4) PROJECT INELIGIBILITY.—The Foundation may not provide support to individuals or entities with business, financial, or familial ties to—

(A) a current member of the Board; or

(B) a former member of the Board during the 5-year period immediately following the last day of the former member's term on the Board.

SEC. 1295. CORPORATE POWERS AND OBLIGATIONS OF THE FOUNDATION.

(a) GENERAL AUTHORITY.—

(1) IN GENERAL.—The Foundation—

(A) may conduct business in foreign countries;

(B) shall have its principal offices in the Washington, D.C. metropolitan area; and

(C) shall continuously maintain a designated agent in Washington, D.C. who is authorized to accept notice or service of process on behalf of the Foundation.

(2) NOTICE AND SERVICE OF PROCESS.—The serving of notice to, or service of process upon, the agent referred to in paragraph (1)(C), or mailed to the business address of such agent, shall be deemed as service upon, or notice to, the Foundation.

(3) AUDITS.—The Foundation shall be subject to the general audit authority of the Comptroller General of the United States under section 3523 of title 31, United States Code.

(b) AUTHORITIES.—In addition to powers explicitly authorized under this subtitle, the Foundation, in order to carry out the purposes described in section 1293(b), shall have the usual powers of a corporation headquartered in Washington, D.C., including the authority—

(1) to accept, receive, solicit, hold, administer, and use any gift, devise, or bequest, either absolutely or in trust, or real or personal property or any income derived from such gift or property, or other interest in such gift or property located in the United States;

(2) to acquire by donation, gift, devise, purchase, or exchange any real or personal property or interest in such property located in the United States;

(3) unless otherwise required by the instrument of transfer, to sell, donate, lease, invest, reinvest, retain, or otherwise dispose of any property or income derived from such property located in the United States;

(4) to complain and defend itself in any court of competent jurisdiction (except that the members of the Board shall not be personally liable, except for gross negligence);

(5) to enter into contracts or other arrangements with public agencies, private organizations, and persons and to make such payments as may be necessary to carry out the purposes of such contracts or arrangements; and

(6) to award grants for eligible projects, in accordance with section 1297.

(c) LIMITATION OF PUBLIC LIABILITY.—The United States shall not be liable for any debts, defaults, acts, or omissions of the Foundation. The Federal Government shall be held harmless from any damages or awards ordered by a court against the Foundation.

SEC. 1296. SAFEGUARDS AND ACCOUNTABILITY.

(a) SAFEGUARDS.—The Foundation shall develop, and incorporate into any agreement for support provided by the Foundation, appropriate safeguards, policies, and guidelines, consistent with United States law and best practices and standards for environmental and social safeguards.

(b) INDEPENDENT ACCOUNTABILITY MECHANISM.—

(1) IN GENERAL.—The Secretary, or the Secretary's designee, shall establish a transparent and independent accountability mechanism, consistent with best practices, which shall provide—

(A) a compliance review function that assesses whether Foundation-supported projects adhere to the requirements developed pursuant to subsection (a);

(B) a dispute resolution function for resolving and remedying concerns between complainants and project implementers regarding the impacts of specific Foundation-supported projects with respect to such standards; and

(C) an advisory function that reports to the Board on projects, policies, and practices.

(2) DUTIES.—The accountability mechanism shall—

(A) report annually to the Board and the appropriate congressional committees regarding the Foundation's compliance with best practices and standards in accordance with paragraph (1)(A) and the nature and resolution of any complaint;

(B)(i) have permanent staff, led by an independent accountability official, to conduct compliance reviews and dispute resolutions and perform advisory functions; and

(ii) maintain a roster of experts to serve such roles, to the extent needed; and

(C) hold a public comment period lasting not fewer than 60 days regarding the initial design of the accountability mechanism.

(c) INTERNAL ACCOUNTABILITY.—The Foundation shall establish an ombudsman position at a senior level of executive staff as a confidential, neutral source of information and assistance to anyone affected by the activities of the Foundation.

(d) ANNUAL REVIEW.—The Secretary shall, periodically, but not less frequent than annually, review assistance provided by the Foundation for the purpose of implementing section 1293(b) to ensure consistency with the provisions under section 620M of Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

SEC. 1297. PROJECTS AND GRANTS.

(a) PROJECT FUNDING REQUIREMENTS.—

(1) IN GENERAL.—The Foundation shall—

(A) provide grants to support eligible projects described in paragraph (3) that advance its mission to enable effective management of primarily protected and conserved areas and their contiguous buffer zones in eligible countries;

(B) advance effective landscape or seascape approaches to conservation that include buffer zones, wildlife dispersal and corridor areas, and other effective area-based conservation measures; and

(C) not purchase, own, or lease land, including conservation easements, in eligible countries.

(2) ELIGIBLE ENTITIES.—Eligible entities shall include—

(A) not-for-profit organizations with demonstrated expertise in protected and conserved area management and economic development;

(B) governments of eligible partner countries, as determined by subsection (b), with the exception of governments and government entities that are prohibited from receiving grants from the Foundation pursuant to section 1298; and

(C) Indigenous and local communities in such eligible countries.

(3) ELIGIBLE PROJECTS.—Eligible projects shall include projects that—

(A) focus on supporting—

(i) transparent and effective long-term management of primarily protected or conserved areas and their contiguous buffer zones in countries described in subsection (b), including terrestrial, coastal, and marine protected or conserved areas, parks, community conservancies, Indigenous reserves, conservation easements, and biological reserves; and

(ii) other effective area-based conservation measures;

(B) are cost-matched at a ratio of not less than $2 from sources other than the United States for every $1 made available under this subtitle;

(C) are subject to long-term binding memoranda of understanding with the governments of eligible countries and local communities—

(i) to ensure that local populations have access, resource management responsibilities, and the ability to pursue permissible, sustainable economic activity on affected lands; and

(ii) that may be signed by governments in such eligible countries to ensure free, prior, and informed consent of affected communities;

(D) incorporate a set of key performance and impact indicators;

(E) demonstrate robust local community engagement, with the completion of appropriate environmental and social due diligence, including—

(i) free, prior, and informed consent of Indigenous Peoples and relevant local communities;

(ii) inclusive governance structures; and

(iii) effective grievance mechanisms;

(F) create economic opportunities for local communities, including through—

(i) equity and profit-sharing;

(ii) cooperative management of natural resources;

(iii) employment activities; and

(iv) other related economic growth activities;

(G) leverage stable baseline funding for the effective management of the primarily protected or conserved area project; and

(H) to the extent possible—

(i) are viable and prepared for implementation; and

(ii) demonstrate a plan to strengthen the capacity of, and transfer skills to, local institutions to manage the primarily protected or conserved area before or after grant funding is exhausted.

(b) ELIGIBLE COUNTRIES.—

(1) IN GENERAL.—Pursuant to the Plan of Action required under section 1293(c), and before awarding any grants or entering into any project agreements for any fiscal year, the Board shall conduct a review to identify eligible countries in which the Foundation may fund projects. Such review shall consider countries that—

(A) are low-income, lower middle-income, or upper-middle-income economies (as defined by the International Bank for Reconstruction and Development and the International Development Association);

(B) have—

(i) a high degree of threatened or at-risk biological diversity; or

(ii) species or ecosystems of significant importance, including threatened or endangered species or ecosystems at risk of degradation or destruction;

(C) have demonstrated a commitment to conservation through verifiable actions, such as protecting lands and waters through the gazettement of national parks, community conservancies, marine reserves and protected areas, forest reserves, or other legally recognized forms of place-based conservation; and

(D) are not ineligible to receive United States foreign assistance pursuant to any other provision of law, including laws identified in section 1298.

(2) IDENTIFICATION OF ELIGIBLE COUNTRIES.—Not later than 5 days after the date on which the Board determines which countries are eligible to receive assistance under this subtitle for a fiscal year, the Executive Director shall—

(A) submit a report to the appropriate congressional committees that includes—

(i) a list of all such eligible countries, as determined through the review process described in paragraph (1); and

(ii) a detailed justification for each such eligibility determination, including—

(I) an analysis of why the eligible country would be suitable for partnership;

(II) an evaluation of the eligible partner country's interest in and ability to participate meaningfully in proposed Foundation activities, including an evaluation of such eligible country's prospects to substantially benefit from Foundation assistance;

(III) an estimation of each such eligible partner country's commitment to conservation; and

(IV) an assessment of the capacity and willingness of the eligible country to enact or implement reforms that might be necessary to maximize the impact and effectiveness of Foundation support; and

(B) publish the information contained in the report described in subparagraph (A) in the Federal Register.

(c) GRANTMAKING.—

(1) IN GENERAL.—In order to maximize program effectiveness, the Foundation shall—

(A) coordinate with other international public and private donors to the greatest extent practicable and appropriate;

(B) seek additional financial and nonfinancial contributions and commitments for its projects from governments in eligible countries;

(C) strive to generate a partnership mentality among all participants, including public and private funders, host governments, local protected areas authorities, and private and nongovernmental organization partners;

(D) prioritize investments in communities with low levels of economic development to the greatest extent practicable and appropriate; and

(E) consider the eligible partner country's planned and dedicated resources to the proposed project and the eligible entity's ability to successfully implement the project.

(2) GRANT CRITERIA.—Foundation grants—

(A) shall fund eligible projects that enhance the management of well-defined primarily protected or conserved areas and the systems of such conservation areas in eligible countries;

(B) should support adequate baseline funding for eligible projects in eligible countries to be sustained for not less than 10 years;

(C) should, during the grant period, demonstrate progress in achieving clearly defined key performance indicators (as defined in the grant agreement), which may include—

(i) the protection of biological diversity;

(ii) the protection of native flora and habitats, such as trees, forests, wetlands, grasslands, mangroves, coral reefs, and sea grass;

(iii) community-based economic growth indicators, such as improved land tenure, increases in beneficiaries participating in related economic growth activities, and sufficient income from conservation activities being directed to communities in project areas;

(iv) improved management of the primarily protected or conserved area covered by the project, as documented through the submission of strategic plans or annual reports to the Foundation; and

(v) the identification of additional revenue sources or sustainable financing mechanisms to meet the recurring costs of management of the primarily protected or conserved areas; and

(D) shall be terminated if the Board determines that the project is not—

(i) meeting applicable requirements under this subtitle; or

(ii) making progress in achieving the key performance indicators defined in the grant agreement.

SEC. 1298. PROHIBITION OF SUPPORT FOR CERTAIN GOVERNMENTS.

(a) IN GENERAL.—The Foundation may not provide support for any government, or any entity owned or controlled by a government, if the Secretary has determined that such government—

(1) has repeatedly provided support for acts of international terrorism, as determined under—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (22 U.S.C. 4813(c)(1)(A)(i));

(B) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other relevant provision of law;

(2) has been identified pursuant to section 116(a) or 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other relevant provision of law; or

(3) has failed the ''control of corruption'' indicator, as determined by the Millennium Challenge Corporation, within any of the preceding 3 years of the intended grant;

(b) PROHIBITION OF SUPPORT FOR SANCTIONED PERSONS.—The Foundation may not engage in any dealing prohibited under United States sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary or by the Secretary of the Treasury.

(c) PROHIBITION OF SUPPORT FOR ACTIVITIES SUBJECT TO SANCTIONS.—The Foundation shall require any person receiving support to certify that such person, and any entity owned or controlled by such person, is in compliance with all United States sanctions laws and regulations.

SEC. 1299. ANNUAL REPORT.

Not later than 360 days after the date of the enactment of this Act, and annually thereafter while the Foundation continues to operate, the Executive Director of the Foundation shall submit a report to the appropriate congressional committees that describes—

(1) the goals of the Foundation;

(2) the programs, projects, and activities supported by the Foundation;

(3) private and governmental contributions to the Foundation; and

(4) the standardized criteria utilized to determine the programs and activities supported by the Foundation, including baselines, targets, desired outcomes, measurable goals, and extent to which those goals are being achieved for each project.

SEC. 1299A. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—In addition to amounts authorized to be appropriated to carry out international conservation and biodiversity programs under part I and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and subject to the limitations set forth in subsections (b) and (c), there is authorized to be appropriated to the Foundation to carry out the purposes of this subtitle—

(1) $1,000,000 for fiscal year 2025; and

(2) not more than $100,000,000 for each of the fiscal years 2026 through 2034.

(b) COST MATCHING REQUIREMENT.—Amounts appropriated pursuant to subsection (a) may only be made available to grantees to the extent the Foundation or such grantees secure funding for an eligible project from sources other than the United

States Government in an amount that is not less than twice the amount received in grants for such project pursuant to section 1297.

(c) ADMINISTRATIVE COSTS.—The administrative costs of the Foundation shall come from sources other than the United States Government.

(d) PROHIBITION ON USE OF GRANT AMOUNTS FOR LOBBYING EXPENSES.—Amounts provided as a grant by the Foundation pursuant to section 1297 may not be used for any activity intended to influence legislation pending before the Congress of the United States.

SA 2119. Ms. HASSAN (for herself, Mr. CASSIDY, Mr. SCHMITT, and Mr. KELLY) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. ELIGIBILITY OF SPOUSES FOR SERVICES UNDER THE DISABLED VETERANS' OUTREACH PROGRAM.

Section 4103A of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting ''and eligible persons'' after ''eligible veterans''; and

(ii) in subparagraph (C), by inserting '', and eligible persons,'' after ''Other eligible veterans'';

(B) in paragraph (2), by inserting ''and eligible persons'' after ''veterans'' each place it appears; and

(C) in paragraph (3)—

(i) by inserting ''or eligible person'' after ''veteran'' each place it appears; and

(ii) by inserting ''or eligible person's'' after ''veteran's'';

(2) in subsection (d)(1)—

(A) by inserting ''and eligible persons'' after ''eligible veterans'' each place it appears; and

(B) by striking ''non-veteran-related''; and

(3) by adding at the end the following new subsection:

''(e) ELIGIBLE PERSON DEFINED.—In this section, the term 'eligible person' means—

''(1) any spouse described in section 4101(5) of this title; or

''(2) the spouse of any person who died while a member of the Armed Forces.''.

SA 2120. Mr. MANCHIN (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—COMMISSION ON FISCAL STABILITY AND REFORM

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Fiscal Stability Act of 2024''.

SEC. 5002. DEFINITIONS.

In this division:

(1) CO-CHAIR.—The term ''co-chair'' means an individual appointed to serve as a co-chair of the Fiscal Commission under section 5003(a)(2)(C).

(2) DIRECT SPENDING.—The term ''direct spending'' has the meaning given that term in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(3) DISCRETIONARY APPROPRIATIONS.—The term ''discretionary appropriations'' has the meaning given that term in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(4) FISCAL COMMISSION.—The term ''Fiscal Commission'' means the commission established under section 5003(a)(1).

(5) IMPLEMENTING BILL.—The term ''implementing bill'' means a bill consisting solely of the text of the implementing bill that the Fiscal Commission approves and submits under subparagraphs (A) and (D), respectively, of section 5003(c)(2).

(6) OUTSIDE EXPERT.—The term ''outside expert'' means an individual who is not an elected official or an officer or employee of the Federal Government or of any State.

SEC. 5003. ESTABLISHMENT OF FISCAL COMMISSION.

(a) ESTABLISHMENT OF FISCAL COMMISSION.—

(1) ESTABLISHMENT.—There is established in the legislative branch a Fiscal Commission.

(2) MEMBERSHIP.—

(A) IN GENERAL.—The Fiscal Commission shall be composed of 16 members appointed in accordance with subparagraph (B) and with due consideration to chairs and ranking members of the committees and subcommittees of subject matter jurisdiction, if applicable.

(B) APPOINTMENT.—Not later than 14 days after the date of enactment of this Act—

(i) the majority leader of the Senate shall appoint 3 individuals from among the Members of the Senate, and 1 outside expert, who shall serve as members of the Fiscal Commission;

(ii) the minority leader of the Senate shall appoint 3 individuals from among the Members of the Senate, and 1 outside expert who shall serve as members of the Fiscal Commission;

(iii) the Speaker of the House of Representatives shall appoint 3 individuals from among the Members of the House of Representatives, and 1 outside expert, who shall serve as members of the Fiscal Commission; and

(iv) the minority leader of the House of Representatives shall appoint 3 individuals from among the Members of the House of Representatives, and 1 outside expert, who shall serve as members of the Fiscal Commission.

(C) CO-CHAIRS.—Not later than 14 days after the date of enactment of this Act—

(i) the leadership of the Senate and House of Representatives who caucus with the same political party as the President shall appoint 1 individual from among the members of the Fiscal Commission who shall serve as a co-chair of the Fiscal Commission; and

(ii) the leadership of the Senate and House of Representatives who caucus with the opposite political party as the President, shall appoint 1 individual from among the members of the Fiscal Commission who shall serve as a co-chair of the Fiscal Commission.

(D) PERIOD OF APPOINTMENT.—

(i) IN GENERAL.—The members of the Fiscal Commission shall be appointed for the life of the Fiscal Commission.

(ii) VACANCY.—

(I) IN GENERAL.—Any vacancy in the Fiscal Commission shall not affect the powers of the Fiscal Commission, but shall be filled not later than 14 days after the date on which the vacancy occurs, in the same manner as the original appointment was made.

(II) INELIGIBLE MEMBERS.—If a member of the Fiscal Commission who was appointed as a Member of the Senate or the House Representatives ceases to be a Member of the Senate or the House of Representatives, as applicable—

(aa) the member shall no longer be a member of the Fiscal Commission; and

(bb) a vacancy in the Fiscal Commission exists.

(E) MEMBER PERSONNEL ISSUES.—

(i) OUTSIDE EXPERT.—Any outside expert appointed as a member of the Fiscal Commission—

(I) shall not be considered to be a Federal employee for any purpose by reason of service on the Fiscal Commission;

(II) shall serve without compensation; and

(III) shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Fiscal Commission.

(ii) MEMBERS OF CONGRESS.—Each member of the Fiscal Commission who is a Member of the Senate or the House of Representatives shall serve without compensation in addition to the compensation received for the services of the member as a Member of the Senate or the House of Representatives.

(3) ADMINISTRATION.—

(A) IN GENERAL.—To enable the Fiscal Commission to exercise the powers, functions, and duties of the Fiscal Commission, there are authorized to be disbursed by the Senate the actual and necessary expenses of the Fiscal Commission approved by the staff director of the Fiscal Commission, subject to the rules and regulations of the Senate.

(B) QUORUM.—A majority of the members of the Fiscal Commission who are Members of the Senate or the House of Representatives, not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with same political party as the President and not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with the opposite political party as the President, shall constitute a quorum.

(C) VOTING.—

(i) IN GENERAL.—Only members of the Fiscal Commission who are Members of the Senate or the House of Representatives may vote on any matter. An outside expert serving as a member of the Fiscal Commission shall be a nonvoting member.

(ii) PROXY VOTING.—No proxy voting shall be allowed on behalf of any member of the Fiscal Commission on any matter.

(iii) CONGRESSIONAL BUDGET OFFICE ESTIMATES.—

(I) IN GENERAL.—The Director of the Congressional Budget Office shall, with respect to the implementing bill of the Fiscal Commission described in subsection (c)(2)(A)(i)(II), provide to the Fiscal Commission—

(aa) estimates of the implementing bill in accordance with sections 308(a) and 201(f) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a), 601(f)); and

(bb) information on the budgetary effect of the implementing bill on the long-term fiscal outlook.

(II) LIMITATION.—The Fiscal Commission may not vote on any version of the report, recommendations, or implementation bill of the Fiscal Commission under subsection

(c)(2)(A) unless the estimates and information described in subclause (I) of this clause are made available for consideration by all members of the Fiscal Commission not later than 48 hours before that vote, as certified by the co-chairs of the Fiscal Commission.

(D) MEETINGS.—

(i) INITIAL MEETING.—Not later than 45 days after the date of enactment of this Act, the Fiscal Commission shall hold the first meeting of the Fiscal Commission.

(ii) AGENDA.—The co-chairs of the Fiscal Commission shall provide an agenda to the members of the Fiscal Commission not later than 48 hours before each meeting of the Fiscal Commission.

(E) HEARINGS.—

(i) IN GENERAL.—The Fiscal Commission may, for the purpose of carrying out this section, hold such hearings, sit and act at such times and places, require attendance of witnesses and production of books, papers, and documents, take such testimony, receive such evidence, and administer such oaths as the Fiscal Commission considers advisable.

(ii) HEARING PROCEDURES AND RESPONSIBILITIES OF CO-CHAIRS.—

(I) ANNOUNCEMENT.—The co-chairs of the Fiscal Commission shall make a public announcement of the date, place, time, and subject matter of any hearing to be conducted under this subparagraph not later than 7 days before the date of the hearing, unless the co-chairs determine that there is good cause to begin such hearing on an earlier date.

(II) WRITTEN STATEMENT.—A witness appearing before the Fiscal Commission shall file a written statement of the proposed testimony of the witness not later than 2 days before the date of the appearance of the witness, unless the co-chairs of the Fiscal Commission—

(aa) determine that there is good cause for the witness to not file the written statement; and

(bb) waive the requirement that the witness file the written statement.

(F) TECHNICAL ASSISTANCE.—Upon written request of the co-chairs of the Fiscal Commission, the head of a Federal agency shall provide technical assistance to the Fiscal Commission in order for the Fiscal Commission to carry out the duties of the Fiscal Commission.

(b) STAFF OF FISCAL COMMISSION.—

(1) IN GENERAL.—In accordance with the guidelines, rules, and requirements relating to employees of the Senate—

(A) the co-chairs of the Fiscal Commission may jointly appoint and fix the compensation of a staff director for the Fiscal Commission; and

(B) the staff director may appoint and fix the compensation of additional staff of the Fiscal Commission.

(2) DETAIL OF OTHER CONGRESSIONAL STAFF.—With the approval of the Member of Congress employing an employee of a personal office of a Member of Congress or a committee of the Senate or the House of Representatives, such an employee may be detailed to the Fiscal Commission on a reimbursable basis.

(3) ETHICAL STANDARDS.—

(A) SENATE.—Members of the Fiscal Commission appointed by Members of the Senate and the staff of the Fiscal Commission shall adhere to the ethics rules of the Senate.

(B) HOUSE OF REPRESENTATIVES.—Members of the Fiscal Commission appointed by Members of the House of Representatives shall be governed by the ethics rules and requirements of the House of Representatives.

(c) DUTIES.—

(1) IMPROVE FISCAL CONDITION.—

(A) IN GENERAL.—The Fiscal Commission shall identify policies to—

(i) meaningfully improve the long-term fiscal condition of the Federal Government;

(ii) achieve a sustainable ratio of the public debt of the Federal Government to the gross domestic product of the United States, which shall be not more than 100 percent, by fiscal year 2039; and

(iii) improve the solvency of Federal programs for which a Federal trust fund exists for a period of at least 75 years.

(B) REQUIREMENTS.—In carrying out subparagraph (A), the Fiscal Commission shall propose recommendations that meaningfully improve the long-term fiscal condition of the Federal Government, including—

(i) changes to address the current levels of discretionary appropriations, direct spending, and revenues and the gap between current revenues and expenditures of the Federal Government; and

(ii) changes to address the growth of discretionary appropriations, direct spending, and revenues and the gap between the projected revenues and expenditures of the Federal Government.

(C) RECOMMENDATIONS OF COMMITTEES.—Not later than 60 days after the date of enactment of this Act, each committee of the Senate and the House of Representatives may transmit to the Fiscal Commission any recommendations of the committee relating to changes in law to achieve the changes described in subparagraph (B).

(2) REPORT, RECOMMENDATIONS, AND IMPLEMENTING BILL.—

(A) CONSIDERATION AND VOTE.—

(i) IN GENERAL.—Not later than May 1, 2025, the Fiscal Commission shall meet to consider, and vote on—

(I) a report that contains—

(aa) a detailed statement of the policies identified by, and the findings, conclusions, and recommendations of, the Fiscal Commission under paragraph (1);

(bb) the estimate of the Congressional Budget Office required under subsection (a)(3)(C)(iii)(I); and

(cc) a statement of the economic and budgetary effects of the implementing bill described in subclause (II); and

(II) an implementing bill to carry out the recommendations of the Fiscal Commission described in subclause (I)(aa).

(ii) APPROVAL OF REPORT AND IMPLEMENTING BILL.—A report and implementing bill of the Fiscal Commission shall only be approved under clause (i) upon an affirmative vote of a majority of the members of the Fiscal Commission who are Members of the Senate or the House of Representatives, not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with same political party as the President and not fewer than 3 of whom were appointed to the Fiscal Commission by a Member of the Senate or the House of Representatives who caucuses with the opposite political party as the President.

(iii) SINGLE REPORT AND IMPLEMENTING BILL.—It shall not be in order for the Fiscal Commission to consider or submit to Congress more than 1 report described in clause (i)(I) or more than 1 implementing bill described in clause (i)(II).

(B) ADDITIONAL VIEWS.—

(i) IN GENERAL.—A member of the Fiscal Commission who gives notice of an intention to file supplemental, minority, or additional views at the time of the final Fiscal Commission vote on the approval of the report and implementing bill of the Fiscal Commission under subparagraph (A) shall be entitled to 3 days to file those views in writing with the staff director of the Fiscal Commission.

(ii) INCLUSION IN REPORT.—Views filed under clause (i) shall be included in the report of the Fiscal Commission under subparagraph (A) and printed in the same volume, or part thereof, and such inclusion shall be noted on the cover of the report, except that, in the absence of timely notice, the report may be printed and transmitted immediately without such views.

(C) REPORT AND IMPLEMENTING BILL TO BE MADE PUBLIC.—Upon the approval or disapproval of a report and implementing bill under subparagraph (A) by the Fiscal Commission, the Fiscal Commission shall promptly, and not more than 24 hours after the approval or disapproval or, if timely notice is given under subparagraph (B), not more than 24 hours after additional views are filed under such subparagraph, make the report, the implementing bill, and a record of the vote on the report and implementing bill available to the public.

(D) SUBMISSION OF REPORT AND IMPLEMENTING BILL.—If a report and implementing bill are approved by the Fiscal Commission under subparagraph (A), not later than 3 days after the date on which the report and implementing bill are made available to the public under subparagraph (C), the Fiscal Commission shall submit the report and implementing bill to the President, the Vice President, the Speaker of the House of Representatives, and the majority and minority leaders of each House of Congress. The report shall be referred to all committees of jurisdiction in the respective Houses.

(d) TERMINATION.—The Fiscal Commission shall terminate on the date that is 30 days after the date the Fiscal Commission submits the report and implementing bill under subsection (c)(2)(D).

SEC. 5004. EXPEDITED CONSIDERATION OF FISCAL COMMISSION IMPLEMENTING BILLS.

(a) QUALIFYING LEGISLATION.—

(1) IN GENERAL.—Only an implementing bill shall be entitled to expedited consideration under this section.

(2) SINGLE BILL.—Except as provided in subsection (d), it shall not be in order in the Senate or the House of Representatives to consider more than 1 implementing bill.

(b) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

(1) INTRODUCTION.—If the Fiscal Commission approves and submits an implementing bill under subparagraphs (A) and (D), respectively, of section 5003(c)(2), the implementing bill may be introduced in the House of Representatives (by request)—

(A) by the majority leader of the House of Representatives, or by a Member of the House of Representatives designated by the majority leader of the House of Representatives, on the third legislative day after the date the Fiscal Commission approves and submits such implementing bill; or

(B) if the implementing bill is not introduced under subparagraph (A), by any Member of the House of Representatives on any legislative day beginning on the legislative day after the legislative day described in subparagraph (A).

(2) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which an implementing bill is referred shall report the implementing bill to the House of Representatives without amendment not later than 5 legislative days after the date on which the implementing bill was so referred. If any committee of the House of Representatives to which an implementing bill is referred fails to report the implementing bill within that period, that committee shall be automatically discharged from consideration of the implementing bill, and the implementing bill shall be placed on the appropriate calendar.

(3) PROCEEDING TO CONSIDERATION.—After the last committee authorized to consider an implementing bill reports it to the House of

Representatives or has been discharged from its consideration, it shall be in order to move to proceed to consider implementing bill in the House of Representatives. Such a motion shall not be in order after the House of Representatives has disposed of a motion to proceed with respect to the implementing bill. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

(4) CONSIDERATION.—The implementing bill shall be considered as read. All points of order against the implementing bill and against its consideration are waived. An amendment to the implementing bill is not in order. The previous question shall be considered as ordered on the implementing bill to its passage without intervening motion except 2 hours of debate equally divided and controlled by the proponent and an opponent.

(5) VOTE ON PASSAGE.—The vote on passage of the implementing bill shall occur pursuant to the constraints under clause 8 of rule XX of the Rules of the House of Representatives.

(c) EXPEDITED PROCEDURE IN THE SENATE.—

(1) INTRODUCTION IN THE SENATE.—On the day on which an implementing bill is submitted to the Senate under section 5003(c)(2)(D), the implementing bill shall be introduced, by request, by the Majority Leader of the Senate for himself or herself and the minority leader of the Senate, or by any Member so designated by them. If the Senate is not in session on the day on which such implementing bill is submitted, it shall be introduced as provided on the first day thereafter on which the Senate is in session. Such implementing bill shall be placed on the Calendar of Business under General Orders.

(2) PROCEEDING.—Notwithstanding rule XXII of the Standing Rules of the Senate, it is in order, not later than 2 days of session after the date on which an implementing bill is placed on the Calendar, for the majority leader of the Senate or the designee of the majority leader to move to proceed to the consideration of the implementing bill. It shall also be in order for any Member of the Senate to move to proceed to the consideration of the implementing bill at any time after the conclusion of such 2-day period. A motion to proceed is in order even though a previous motion to the same effect has been disagreed to. All points of order against the motion to proceed to the implementing bill are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the implementing bill is agreed to, it shall remain the unfinished business until disposed of. All points of order against the implementing bill and against its consideration are waived.

(3) NO AMENDMENTS.—An amendment to the implementing bill, a motion to postpone, a motion to proceed to the consideration of other business, or a motion to commit the implementing bill is not in order.

(4) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to an implementing bill shall be decided without debate.

(d) CONSIDERATION BY THE OTHER HOUSE.—

(1) IN GENERAL.—If, before passing an implementing bill, one House receives from the other House an implementing bill consisting solely of the text of the implementing bill approved by the Fiscal Commission—

(A) the implementing bill of the other House shall not be referred to a committee; and

(B) the procedure in the receiving House shall be the same as if no implementing bill had been received from the other House until the vote on passage, when the implementing bill received from the other House shall supplant the implementing bill of the receiving House.

(2) REVENUE MEASURES.—This subsection shall not apply to the House of Representatives if an implementing bill received from the Senate is a revenue measure.

(3) NO IMPLEMENTING BILL IN THE SENATE.—If an implementing bill is not introduced in the Senate or the Senate fails to consider an implementing bill under this section, the implementing bill of the House of Representatives shall be entitled to expedited floor procedures under this section.

(4) TREATMENT OF COMPANION MEASURE IN THE SENATE.—If, following passage of an implementing bill in the Senate, the Senate then receives from the House of Representatives an implementing bill consisting of the same text as the Senate-passed implementing bill, the House-passed implementing bill shall not be debatable. The vote on passage of the implementing bill in the Senate shall be considered to be the vote on passage of the implementing bill received from the House of Representatives.

(e) VETOES.—If the President vetoes an implementing bill, consideration of a veto message in the Senate shall be 10 hours equally divided between the majority and minority leaders of the Senate or the designees of the majority and minority leaders of the Senate.

(f) CONSTRUCTIVE RESUBMISSION.—

(1) IN GENERAL.—In addition to the expedited procedures otherwise provided under this section, in the case of any implementing bill submitted under section 5003(c)(2)(D) during the period beginning on the date occurring—

(A) in the case of the Senate, 30 session days; or

(B) in the case of the House of Representatives, 30 legislative days,

before the date the Congress adjourns a session of Congress and ending on the date on which the same or succeeding Congress first convenes its next session, the expedited procedures under this section shall apply to such implementing bill in the succeeding session of Congress.

(2) APPLICATION.—In applying this section for the purposes of constructive resubmission, an implementing bill described under paragraph (1) shall be treated as though such implementing bill were submitted by the Fiscal Commission on—

(A) in the case of the Senate, the 15th session day; or

(B) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes.

(3) LIMITATION.—The constructive resubmission under this subsection shall not apply if a vote with respect to the implementing bill was taken in either House in a preceding session of Congress.

SEC. 5005. FUNDING.

Funding for the Fiscal Commission shall be derived from the contingent fund of the Senate from the appropriations account ''Miscellaneous Items'', subject to the rules and regulations of the Senate.

SEC. 5006. RULEMAKING.

The provisions of section 5004 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and, as such, the provisions—

(A) shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and

(B) shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

SA 2121. Mr. PETERS (for himself and Mr. HAWLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. FEDERAL INFORMATION SECURITY MODERNIZATION.

(a) AMENDMENTS TO TITLE 44.—

(1) SUBCHAPTER I AMENDMENTS.—Subchapter I of chapter 35 of title 44, United States Code, is amended—

(A) in section 3504—

(i) in subsection (a)(1)(B)—

(I) by striking clause (v) and inserting the following:

''(v) privacy, confidentiality, disclosure, and sharing of information;'';

(II) by redesignating clause (vi) as clause (vii); and

(III) by inserting after clause (v) the following:

''(vi) in consultation with the National Cyber Director, security of information; and''; and

(ii) in subsection (g)—

(I) by redesignating paragraph (2) as paragraph (3); and

(II) by striking paragraph (1) and inserting the following:

''(1) develop and oversee the implementation of policies, principles, standards, and guidelines on privacy, confidentiality, disclosure, and sharing of information collected or maintained by or for agencies;

''(2) in consultation with the National Cyber Director, oversee the implementation of policies, principles, standards, and guidelines on security, of information collected or maintained by or for agencies; and'';

(B) in section 3505—

(i) by striking the first subsection designated as subsection (c);

(ii) in paragraph (2) of the second subsection designated as subsection (c), by inserting ''an identification of internet accessible information systems and'' after ''an inventory under this subsection shall include'';

(iii) in paragraph (3) of the second subsection designated as subsection (c)—

(I) in subparagraph (B)—

(aa) by inserting ''the Director of the Cybersecurity and Infrastructure Security Agency, the National Cyber Director, and'' before ''the Comptroller General''; and

(bb) by striking ''and'' at the end;

(II) in subparagraph (C)(v), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(D) maintained on a continual basis through the use of automation, machine-readable data, and scanning, wherever practicable.'';

(C) in section 3506—

(i) in subsection (a)(3), by inserting ''In carrying out these duties, the Chief Information Officer shall consult, as appropriate, with the Chief Data Officer in accordance

with the designated functions under section 3520(c).'' after ''reduction of information collection burdens on the public.'';

(ii) in subsection (b)(1)(C), by inserting ''availability,'' after ''integrity,'';

(iii) in subsection (h)(3), by inserting ''security,'' after ''efficiency,''; and

(iv) by adding at the end the following:

''(j)(1) Notwithstanding paragraphs (2) and (3) of subsection (a), the head of each agency shall, in accordance with section 522(a) of division H of the Consolidated Appropriations Act, 2005 (42 U.S.C. 2000ee–2), designate a Chief Privacy Officer with the necessary skills, knowledge, and expertise, who shall have the authority and responsibility to—

''(A) lead the privacy program of the agency; and

''(B) carry out the privacy responsibilities of the agency under this chapter, section 552a of title 5, and guidance issued by the Director.

''(2) The Chief Privacy Officer of each agency shall—

''(A) serve in a central leadership position within the agency;

''(B) have visibility into relevant agency operations; and

''(C) be positioned highly enough within the agency to regularly engage with other agency leaders and officials, including the head of the agency.

''(3) A privacy officer of an agency established under a statute enacted before the date of enactment of the Federal Information Security Modernization Act of 2024 may carry out the responsibilities under this subsection for the agency.''; and

(D) in section 3513—

(i) by redesignating subsection (c) as subsection (d); and

(ii) by inserting after subsection (b) the following:

''(c) Each agency providing a written plan under subsection (b) shall provide any portion of the written plan addressing information security to the Secretary of Homeland Security and the National Cyber Director.''.

(2) SUBCHAPTER II DEFINITIONS.—

(A) IN GENERAL.—Section 3552(b) of title 44, United States Code, is amended—

(i) by redesignating paragraphs (2), (3), (4), (5), (6), and (7) as paragraphs (3), (4), (5), (6), (8), and (10), respectively;

(ii) by inserting after paragraph (1) the following:

''(2) The term 'high value asset' means information or an information system that the head of an agency, using policies, principles, standards, or guidelines issued by the Director under section 3553(a), determines to be so critical to the agency that the loss or degradation of the confidentiality, integrity, or availability of such information or information system would have a serious impact on the ability of the agency to perform the mission of the agency or conduct business.'';

(iii) by inserting after paragraph (6), as so redesignated, the following:

''(7) The term 'major incident' has the meaning given the term in guidance issued by the Director under section 3598(a).'';

(iv) in paragraph (8)(A), as so redesignated, in the matter preceding clause (i), by striking ''used'' and inserting ''owned, managed,'';

(v) by inserting after paragraph (8), as so redesignated, the following:

''(9) The term 'penetration test'—

''(A) means an authorized assessment that emulates attempts to gain unauthorized access to, or disrupt the operations of, an information system or component of an information system; and

''(B) includes any additional meaning given the term in policies, principles, standards, or guidelines issued by the Director under section 3553(a).''; and

(vi) by inserting after paragraph (10), as so redesignated, the following:

''(11) The term 'shared service' means a centralized mission capability or consolidated business function that is provided to multiple organizations within an agency or to multiple agencies.

''(12) The term 'zero trust architecture' has the meaning given the term in Special Publication 800–207 of the National Institute of Standards and Technology, or any successor document.''.

(B) CONFORMING AMENDMENTS.—

(i) HOMELAND SECURITY ACT OF 2002.—Section 1001(c)(1)(A) of the Homeland Security Act of 2002 (6 U.S.C. 511(c)(1)(A)) is amended by striking ''section 3552(b)(5)'' and inserting ''section 3552(b)''.

(ii) TITLE 10.—

(I) SECTION 2222.—Section 2222(i)(8) of title 10, United States Code, is amended by striking ''section 3552(b)(6)(A)'' and inserting ''section 3552(b)(8)(A)''.

(II) SECTION 2223.—Section 2223(c)(3) of title 10, United States Code, is amended by striking ''section 3552(b)(6)'' and inserting ''section 3552(b)''.

(III) SECTION 3068.—Section 3068(b) of title 10, United States Code, is amended by striking ''section 3552(b)(6)'' and inserting ''section 3552(b)''.

(IV) SECTION 3252.—Section 3252(e)(5) of title 10, United States Code, is amended by striking ''section 3552(b)(6)'' and inserting ''section 3552(b)''.

(iii) HIGH-PERFORMANCE COMPUTING ACT OF 1991.—Section 207(a) of the High-Performance Computing Act of 1991 (15 U.S.C. 5527(a)) is amended by striking ''section 3552(b)(6)(A)(i)'' and inserting ''section 3552(b)(8)(A)(i)''.

(iv) INTERNET OF THINGS CYBERSECURITY IMPROVEMENT ACT OF 2020.—Section 3(5) of the Internet of Things Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g–3a(5)) is amended by striking ''section 3552(b)(6)'' and inserting ''section 3552(b)''.

(v) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—Section 933(e)(1)(B) of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2224 note) is amended by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)''.

(vi) IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended—

(I) in section 931(b)(3) (10 U.S.C. 2223 note), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)''; and

(II) in section 932(b)(2) (10 U.S.C. 2224 note), by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)''.

(vii) E–GOVERNMENT ACT OF 2002.—Section 301(c)(1)(A) of the E–Government Act of 2002 (44 U.S.C. 3501 note) is amended by striking ''section 3542(b)(2)'' and inserting ''section 3552(b)''.

(viii) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT.—Section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3) is amended—

(I) in subsection (a)(2), by striking ''section 3552(b)(6)'' and inserting ''section 3552(b)''; and

(II) in subsection (f)—

(aa) in paragraph (2), by striking ''section 3532(1)'' and inserting ''section 3552(b)''; and

(bb) in paragraph (5), by striking ''section 3532(b)(2)'' and inserting ''section 3552(b)''.

(3) SUBCHAPTER II AMENDMENTS.—Subchapter II of chapter 35 of title 44, United States Code, is amended—

(A) in section 3551—

(i) in paragraph (4), by striking ''diagnose and improve'' and inserting ''integrate, deliver, diagnose, and improve'';

(ii) in paragraph (5), by striking ''and'' at the end;

(iii) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

''(7) recognize that each agency has specific mission requirements and, at times, unique cybersecurity requirements to meet the mission of the agency;

''(8) recognize that each agency does not have the same resources to secure agency systems, and an agency should not be expected to have the capability to secure the systems of the agency from advanced adversaries alone; and

''(9) recognize that a holistic Federal cybersecurity model is necessary to account for differences between the missions and capabilities of agencies.'';

(B) in section 3553—

(i) in subsection (a)—

(I) in paragraph (5), by striking ''and'' at the end;

(II) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(7) promoting, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, the National Cyber Director, and the Director of the National Institute of Standards and Technology—

''(A) the use of automation to improve Federal cybersecurity and visibility with respect to the implementation of Federal cybersecurity; and

''(B) the use of presumption of compromise and least privilege principles, such as zero trust architecture, to improve resiliency and timely response actions to incidents on Federal systems.'';

(ii) in subsection (b)—

(I) in the matter preceding paragraph (1), by inserting ''and the National Cyber Director'' after ''Director'';

(II) in paragraph (2)(A), by inserting ''and reporting requirements under subchapter IV of this chapter'' after ''section 3556'';

(III) by redesignating paragraphs (8) and (9) as paragraphs (10) and (11), respectively; and

(IV) by inserting after paragraph (7) the following:

''(8) expeditiously seeking opportunities to reduce costs, administrative burdens, and other barriers to information technology security and modernization for agencies, including through shared services (and appropriate commercial off the shelf options for such shared services) for cybersecurity capabilities identified as appropriate by the Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency and other agencies as appropriate;'';

(iii) in subsection (c)—

(I) in the matter preceding paragraph (1)—

(aa) by striking ''each year'' and inserting ''each year during which agencies are required to submit reports under section 3554(c)'';

(bb) by inserting '', which shall be unclassified but may include 1 or more annexes that contain classified or other sensitive information, as appropriate'' after ''a report''; and

(cc) by striking ''preceding year'' and inserting ''preceding 2 years'';

(II) by striking paragraph (1);

(III) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively;

(IV) in paragraph (3), as so redesignated, by striking ''and'' at the end; and

(V) by inserting after paragraph (3), as so redesignated, the following:

''(4) a summary of the risks and trends identified in the Federal risk assessment required under subsection (i); and'';

(iv) in subsection (h)—

(I) in paragraph (2)—

(aa) in subparagraph (A), by inserting ''and the National Cyber Director'' after ''in coordination with the Director'';

(bb) in subparagraph (B), by inserting '', the scope of the required action (such as applicable software, firmware, or hardware versions),'' after ''reasons for the required action''; and

(cc) in subparagraph (D), by inserting '', the National Cyber Director,'' after ''notify the Director''; and

(II) in paragraph (3)(A)(iv), by inserting '', the National Cyber Director'' after ''the Secretary provides prior notice to the Director'';

(v) by amending subsection (i) to read as follows:

''(i) FEDERAL RISK ASSESSMENT.—On an ongoing and continual basis, the Director of the Cybersecurity and Infrastructure Security Agency shall assess the Federal risk posture using any available information on the cybersecurity posture of agencies, and brief the Director and National Cyber Director on the findings of such assessment, including—

''(1) the status of agency cybersecurity remedial actions for high value assets described in section 3554(b)(7);

''(2) any vulnerability information relating to the systems of an agency that is known by the agency;

''(3) analysis of incident information under section 3597;

''(4) evaluation of penetration testing performed under section 3559A;

''(5) evaluation of vulnerability disclosure program information under section 3559B;

''(6) evaluation of agency threat hunting results;

''(7) evaluation of Federal and non-Federal cyber threat intelligence;

''(8) data on agency compliance with standards issued under section 11331 of title 40;

''(9) agency system risk assessments required under section 3554(a)(1)(A);

''(10) relevant reports from inspectors general of agencies and the Government Accountability Office; and

''(11) any other information the Director of the Cybersecurity and Infrastructure Security Agency determines relevant.''; and

(vi) by adding at the end the following:

''(m) DIRECTIVES.—

''(1) EMERGENCY DIRECTIVE UPDATES.—If the Secretary issues an emergency directive under this section, the Director of the Cybersecurity and Infrastructure Security Agency shall submit to the Director, the National Cyber Director, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committees on Oversight and Accountability and Homeland Security of the House of Representatives an update on the status of the implementation of the emergency directive at agencies not later than 7 days after the date on which the emergency directive requires an agency to complete a requirement specified by the emergency directive, and every 30 days thereafter until—

''(A) the date on which every agency has fully implemented the emergency directive;

''(B) the Secretary determines that an emergency directive no longer requires active reporting from agencies or additional implementation; or

''(C) the date that is 1 year after the issuance of the directive.

''(2) BINDING OPERATIONAL DIRECTIVE UPDATES.—If the Secretary issues a binding operational directive under this section, the Director of the Cybersecurity and Infrastructure Security Agency shall submit to the Director, the National Cyber Director, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committees on Oversight and Accountability and Homeland Security of the House of Representatives an update on the status of the implementation of the binding operational directive at agencies not later than 30 days after the issuance of the binding operational directive, and every 90 days thereafter until—

''(A) the date on which every agency has fully implemented the binding operational directive;

''(B) the Secretary determines that a binding operational directive no longer requires active reporting from agencies or additional implementation; or

''(C) the date that is 1 year after the issuance or substantive update of the directive.

''(3) REPORT.—If the Director of the Cybersecurity and Infrastructure Security Agency ceases submitting updates required under paragraphs (1) or (2) on the date described in paragraph (1)(C) or (2)(C), the Director of the Cybersecurity and Infrastructure Security Agency shall submit to the Director, the National Cyber Director, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committees on Oversight and Accountability and Homeland Security of the House of Representatives a list of every agency that, at the time of the report—

''(A) has not completed a requirement specified by an emergency directive; or

''(B) has not implemented a binding operational directive.

''(n) REVIEW OF OFFICE OF MANAGEMENT AND BUDGET GUIDANCE AND POLICY.—

''(1) CONDUCT OF REVIEW.—Not less frequently than once every 3 years, the Director of the Office of Management and Budget shall review the efficacy of the guidance and policy promulgated by the Director in reducing cybersecurity risks, including a consideration of reporting and compliance burden on agencies.

''(2) CONGRESSIONAL NOTIFICATION.—The Director of the Office of Management and Budget shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives of the results of the review under paragraph (1).

''(3) GAO REVIEW.—The Government Accountability Office shall review guidance and policy promulgated by the Director to assess its efficacy in risk reduction and burden on agencies.

''(o) AUTOMATED STANDARD IMPLEMENTATION VERIFICATION.—When the Director of the National Institute of Standards and Technology issues a proposed standard or guideline pursuant to paragraphs (2) or (3) of section 20(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3(a)), the Director of the National Institute of Standards and Technology shall consider developing and, if appropriate and practical, develop specifications to enable the automated verification of the implementation of the controls.

''(p) INSPECTORS GENERAL ACCESS TO FEDERAL RISK ASSESSMENTS.—The Director of the Cybersecurity and Infrastructure Security Agency shall, upon request, make available Federal risk assessment information under subsection (i) to the Inspector General of the Department of Homeland Security and the inspector general of any agency that was included in the Federal risk assessment.'';

(C) in section 3554—

(i) in subsection (a)—

(I) in paragraph (1)—

(aa) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively;

(bb) by inserting before subparagraph (B), as so redesignated, the following:

''(A) on an ongoing and continual basis, assessing agency system risk, as applicable, by—

''(i) identifying and documenting the high value assets of the agency using guidance from the Director;

''(ii) evaluating the data assets inventoried under section 3511 for sensitivity to compromises in confidentiality, integrity, and availability;

''(iii) identifying whether the agency is participating in federally offered cybersecurity shared services programs;

''(iv) identifying agency systems that have access to or hold the data assets inventoried under section 3511;

''(v) evaluating the threats facing agency systems and data, including high value assets, based on Federal and non-Federal cyber threat intelligence products, where available;

''(vi) evaluating the vulnerability of agency systems and data, including high value assets, including by analyzing—

''(I) the results of penetration testing performed by the Department of Homeland Security under section 3553(b)(9);

''(II) the results of penetration testing performed under section 3559A;

''(III) information provided to the agency through the vulnerability disclosure program of the agency under section 3559B;

''(IV) incidents; and

''(V) any other vulnerability information relating to agency systems that is known to the agency;

''(vii) assessing the impacts of potential agency incidents to agency systems, data, and operations based on the evaluations described in clauses (ii) and (v) and the agency systems identified under clause (iv); and

''(viii) assessing the consequences of potential incidents occurring on agency systems that would impact systems at other agencies, including due to interconnectivity between different agency systems or operational reliance on the operations of the system or data in the system;'';

(cc) in subparagraph (B), as so redesignated, in the matter preceding clause (i), by striking ''providing information'' and inserting ''using information from the assessment required under subparagraph (A), providing information'';

(dd) in subparagraph (C), as so redesignated—

(AA) in clause (ii) by inserting ''binding'' before ''operational''; and

(BB) in clause (vi), by striking ''and'' at the end;

(ee) in subparagraph (D), as so redesignated, by inserting ''and'' after the semicolon at the end; and

(ff) by adding at the end the following:

''(E) providing an update on the ongoing and continual assessment required under subparagraph (A)—

''(i) upon request, to the inspector general of the agency or the Comptroller General of the United States; and

''(ii) at intervals determined by guidance issued by the Director, and to the extent appropriate and practicable using automation, to—

''(I) the Director;

''(II) the Director of the Cybersecurity and Infrastructure Security Agency; and

''(III) the National Cyber Director;'';

(II) in paragraph (2)—

(aa) in subparagraph (A), by inserting ''in accordance with the agency system risk assessment required under paragraph (1)(A)'' after ''information systems''; and

(bb) in subparagraph (D), by inserting '', through the use of penetration testing, the vulnerability disclosure program established under section 3559B, and other means,'' after ''periodically'';

(III) in paragraph (3)(A)—

(aa) in the matter preceding clause (i), by striking ''senior agency information security officer'' and inserting ''Chief Information Security Officer'';

(bb) in clause (i), by striking ''this section'' and inserting ''subsections (a) through (c)'';

(cc) in clause (ii), by striking ''training and'' and inserting ''skills, training, and'';

(dd) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(ee) by inserting after clause (ii) the following:

''(iii) manage information security, cybersecurity budgets, and risk and compliance activities and explain those concepts to the head of the agency and the executive team of the agency;''; and

(ff) in clause (iv), as so redesignated, by striking ''information security duties as that official's primary duty'' and inserting ''information, computer network, and technology security duties as the Chief Information Security Officers' primary duty'';

(IV) in paragraph (5), by striking ''annually'' and inserting ''not less frequently than quarterly''; and

(V) in paragraph (6), by striking ''official delegated'' and inserting ''Chief Information Security Officer delegated'';

(ii) in subsection (b)—

(I) by striking paragraph (1) and inserting the following:

''(1) the ongoing and continual assessment of agency system risk required under subsection (a)(1)(A), which may include using guidance and automated tools consistent with standards and guidelines promulgated under section 11331 of title 40, as applicable;'';

(II) in paragraph (2)—

(aa) by striking subparagraph (B);

(bb) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(cc) in subparagraph (C), as so redesignated—

(AA) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively;

(BB) by inserting after clause (ii) the following:

''(iii) binding operational directives and emergency directives issued by the Secretary under section 3553;''; and

(CC) in clause (iv), as so redesignated, by striking ''as determined by the agency;'' and inserting ''as determined by the agency, considering the agency risk assessment required under subsection (a)(1)(A);'';

(III) in paragraph (5)(A), by inserting '', including penetration testing, as appropriate,'' after ''shall include testing'';

(IV) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(V) by inserting after paragraph (6) the following:

''(7) a process for securely providing the status of remedial cybersecurity actions and un-remediated identified system vulnerabilities of high value assets to the Director and the Director of the Cybersecurity and Infrastructure Security Agency, using automation and machine-readable data as appropriate;''; and

(VI) in paragraph (8)(C), as so redesignated—

(aa) by striking clause (ii) and inserting the following:

''(ii) notifying and consulting with the Federal information security incident center established under section 3556 pursuant to the requirements of section 3594;'';

(bb) by redesignating clause (iii) as clause (iv);

(cc) by inserting after clause (ii) the following:

''(iii) performing the notifications and other activities required under subchapter IV of this chapter; and''; and

(dd) in clause (iv), as so redesignated—

(AA) in subclause (II), by adding ''and'' at the end;

(BB) by striking subclause (III); and

(CC) by redesignating subclause (IV) as subclause (III); and

(iii) in subsection (c)—

(I) by redesignating paragraph (2) as paragraph (4);

(II) by striking paragraph (1) and inserting the following:

''(1) BIENNIAL REPORT.—Not later than 2 years after the date of enactment of the Federal Information Security Modernization Act of 2024 and not less frequently than once every 2 years thereafter, using the ongoing and continual agency system risk assessment required under subsection (a)(1)(A), the head of each agency shall submit to the Director, the National Cyber Director, the Director of the Cybersecurity and Infrastructure Security Agency, the Comptroller General of the United States, the majority and minority leaders of the Senate, the Speaker and minority leader of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Accountability of the House of Representatives, the Committee on Homeland Security of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the appropriate authorization and appropriations committees of Congress a report that—

''(A) summarizes the agency system risk assessment required under subsection (a)(1)(A);

''(B) evaluates the adequacy and effectiveness of information security policies, procedures, and practices of the agency to address the risks identified in the agency system risk assessment required under subsection (a)(1)(A), including an analysis of the agency's cybersecurity and incident response capabilities using the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c));

''(C) summarizes the status of remedial actions identified by inspector general of the agency, the Comptroller General of the United States, and any other source determined appropriate by the head of the agency; and

''(D) includes the cybersecurity shared services offered by the Cybersecurity and Infrastructure Security Agency that the agency participates in, if any, and explanations for any non-participation in such services.

''(2) UNCLASSIFIED REPORTS.—Each report submitted under paragraph (1)—

''(A) shall be, to the greatest extent practicable, in an unclassified and otherwise uncontrolled form; and

''(B) may include 1 or more annexes that contain classified or other sensitive information, as appropriate.

''(3) BRIEFINGS.—During each year during which a report is not required to be submitted under paragraph (1), the Director shall provide to the congressional committees described in paragraph (1) a briefing summarizing current agency and Federal risk postures.''; and

(III) in paragraph (4), as so redesignated, by striking the period at the end and inserting '', including the reporting procedures established under section 11315(d) of title 40 and subsection (a)(3)(A)(v) of this section.'';

(D) in section 3555—

(i) in the section heading, by striking ''**Annual independent**'' and inserting ''**Independent**'';

(ii) in subsection (a)—

(I) in paragraph (1), by inserting ''during which a report is required to be submitted under section 3553(c),'' after ''Each year'';

(II) in paragraph (2)(A), by inserting '', including by performing, or reviewing the results of, agency penetration testing and analyzing the vulnerability disclosure program of the agency'' after ''information systems''; and

(III) by adding at the end the following:

''(3) An evaluation under this section may include recommendations for improving the cybersecurity posture of the agency.'';

(iii) in subsection (b)(1), by striking ''annual'';

(iv) in subsection (e)(1), by inserting ''during which a report is required to be submitted under section 3553(c)'' after ''Each year'';

(v) in subsection (g)(2)—

(I) by striking ''this subsection shall'' and inserting ''this subsection—

''(A) shall'';

(II) in subparagraph (A), as so designated, by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(B) identify any entity that performs an independent evaluation under subsection (b).'';

(vi) by striking subsection (j) and inserting the following:

''(j) GUIDANCE.—

''(1) IN GENERAL.—The Director, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, the Chief Information Officers Council, the Council of the Inspectors General on Integrity and Efficiency, and other interested parties as appropriate, shall ensure the development of risk-based guidance for evaluating the effectiveness of an information security program and practices.

''(2) PRIORITIES.—The risk-based guidance developed under paragraph (1) shall include—

''(A) the identification of the most common successful threat patterns;

''(B) the identification of security controls that address the threat patterns described in subparagraph (A);

''(C) any other security risks unique to Federal systems; and

''(D) any other element the Director determines appropriate.''; and

(vii) by adding at the end the following:

''(k) COORDINATION.—The head of each agency shall coordinate with the inspector general of the agency, as applicable, to ensure consistent understanding of agency cybersecurity or information security policies for the purpose of evaluations of such policies conducted by the inspector general.''; and

(E) in section 3556(a)—

(i) in the matter preceding paragraph (1), by inserting ''within the Cybersecurity and Infrastructure Security Agency'' after ''incident center''; and

(ii) in paragraph (4), by striking ''3554(b)'' and inserting ''3554(a)(1)(A)''.

(4) CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 35 of title 44, United States Code, is amended by striking the item relating to section 3555 and inserting the following:

''3555. Independent evaluation.''.

(B) OMB REPORTS.—Section 226(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1524(c)) is amended—

(i) in paragraph (1)(B), in the matter preceding clause (i), by striking ''annually thereafter'' and inserting ''thereafter during the years during which a report is required to be submitted under section 3553(c) of title 44, United States Code''; and

(ii) in paragraph (2)(B), in the matter preceding clause (i)—

(I) by striking ''annually thereafter'' and inserting ''thereafter during the years during which a report is required to be submitted under section 3553(c) of title 44, United States Code''; and

(II) by striking ''the report required under section 3553(c) of title 44, United States Code'' and inserting ''that report''.

(C) NIST RESPONSIBILITIES.—Section 20(d)(3)(B) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3(d)(3)(B)) is amended by striking ''annual''.

(5) FEDERAL SYSTEM INCIDENT RESPONSE.—

(A) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by adding at the end the following:

''SUBCHAPTER IV—FEDERAL SYSTEM INCIDENT RESPONSE

''§ 3591. Definitions

''(a) IN GENERAL.—Except as provided in subsection (b), the definitions under sections 3502 and 3552 shall apply to this subchapter.

''(b) ADDITIONAL DEFINITIONS.—As used in this subchapter:

''(1) APPROPRIATE REPORTING ENTITIES.—The term 'appropriate reporting entities' means—

''(A) the majority and minority leaders of the Senate;

''(B) the Speaker and minority leader of the House of Representatives;

''(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(D) the Committee on Commerce, Science, and Transportation of the Senate;

''(E) the Committee on Oversight and Accountability of the House of Representatives;

''(F) the Committee on Homeland Security of the House of Representatives;

''(G) the Committee on Science, Space, and Technology of the House of Representatives;

''(H) the appropriate authorization and appropriations committees of Congress;

''(I) the Director;

''(J) the Director of the Cybersecurity and Infrastructure Security Agency;

''(K) the National Cyber Director;

''(L) the Comptroller General of the United States; and

''(M) the inspector general of any impacted agency.

''(2) AWARDEE.—The term 'awardee', with respect to an agency—

''(A) means—

''(i) the recipient of a grant from an agency;

''(ii) a party to a cooperative agreement with an agency; and

''(iii) a party to an other transaction agreement with an agency; and

''(B) includes a subawardee of an entity described in subparagraph (A).

''(3) BREACH.—The term 'breach'—

''(A) means the compromise, unauthorized disclosure, unauthorized acquisition, or loss of control of personally identifiable information owned, maintained or otherwise controlled by an agency, or any similar occurrence; and

''(B) includes any additional meaning given the term in policies, principles, standards, or guidelines issued by the Director.

''(4) CONTRACTOR.—The term 'contractor' means a prime contractor of an agency or a subcontractor of a prime contractor of an agency that creates, collects, stores, processes, maintains, or transmits Federal information on behalf of an agency.

''(5) FEDERAL INFORMATION.—The term 'Federal information' means information created, collected, processed, maintained, disseminated, disclosed, or disposed of by or for the Federal Government in any medium or form.

''(6) FEDERAL INFORMATION SYSTEM.—The term 'Federal information system' means an information system owned, managed, or operated by an agency, or on behalf of an agency by a contractor, an awardee, or another organization.

''(7) INTELLIGENCE COMMUNITY.—The term 'intelligence community' has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

''(8) NATIONWIDE CONSUMER REPORTING AGENCY.—The term 'nationwide consumer reporting agency' means a consumer reporting agency described in section 603(p) of the Fair Credit Reporting Act (15 U.S.C. 1681a(p)).

''(9) VULNERABILITY DISCLOSURE.—The term 'vulnerability disclosure' means a vulnerability identified under section 3559B.

''§ 3592. Notification of breach

''(a) DEFINITION.—In this section, the term 'covered breach' means a breach—

''(1) involving not less than 50,000 potentially affected individuals; or

''(2) the result of which the head of an agency determines that notifying potentially affected individuals is necessary pursuant to subsection (b)(1), regardless of whether—

''(A) the number of potentially affected individuals is less than 50,000; or

''(B) the notification is delayed under subsection (d).

''(b) NOTIFICATION.—As expeditiously as practicable and without unreasonable delay, and in any case not later than 45 days after an agency has a reasonable basis to conclude that a breach has occurred, the head of the agency, in consultation with the Chief Information Officer and Chief Privacy Officer of the agency and, as appropriate, any non-Federal entity supporting the remediation of the breach, shall—

''(1) determine whether notice to any individual potentially affected by the breach is appropriate, including by conducting an assessment of the risk of harm to the individual that considers—

''(A) the nature and sensitivity of the personally identifiable information affected by the breach;

''(B) the likelihood of access to and use of the personally identifiable information affected by the breach;

''(C) the type of breach; and

''(D) any other factors determined by the Director; and

''(2) if the head of the agency determines notification is necessary pursuant to paragraph (1), provide written notification in accordance with subsection (c) to each individual potentially affected by the breach—

''(A) to the last known mailing address of the individual; or

''(B) through an appropriate alternative method of notification.

''(c) CONTENTS OF NOTIFICATION.—Each notification of a breach provided to an individual under subsection (b)(2) shall include, to the maximum extent practicable—

''(1) a brief description of the breach;

''(2) if possible, a description of the types of personally identifiable information affected by the breach;

''(3) contact information of the agency that may be used to ask questions of the agency, which—

''(A) shall include an e-mail address or another digital contact mechanism; and

''(B) may include a telephone number, mailing address, or a website;

''(4) information on any remedy being offered by the agency;

''(5) any applicable educational materials relating to what individuals can do in response to a breach that potentially affects their personally identifiable information, including relevant contact information for the appropriate Federal law enforcement agencies and each nationwide consumer reporting agency; and

''(6) any other appropriate information, as determined by the head of the agency or established in guidance by the Director.

''(d) DELAY OF NOTIFICATION.—

''(1) IN GENERAL.—The head of an agency, in coordination with the Director and the National Cyber Director, and as appropriate, the Attorney General, the Director of National Intelligence, or the Secretary of Homeland Security, may delay a notification required under subsection (b) or (e) if the notification would—

''(A) impede a criminal investigation or a national security activity;

''(B) cause an adverse result (as described in section 2705(a)(2) of title 18);

''(C) reveal sensitive sources and methods;

''(D) cause damage to national security; or

''(E) hamper security remediation actions.

''(2) RENEWAL.—A delay under paragraph (1) shall be for a period of 60 days and may be renewed.

''(3) NATIONAL SECURITY SYSTEMS.—The head of an agency delaying notification under this subsection with respect to a breach exclusively of a national security system shall coordinate such delay with the Secretary of Defense.

''(e) UPDATE NOTIFICATION.—If an agency determines there is a significant change in the reasonable basis to conclude that a breach occurred, a significant change to the determination made under subsection (b)(1), or that it is necessary to update the details of the information provided to potentially affected individuals as described in subsection (c), the agency shall as expeditiously as practicable and without unreasonable delay, and in any case not later than 30 days after such a determination, notify each individual who received a notification pursuant to subsection (b) of those changes.

''(f) DELAY OF NOTIFICATION REPORT.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Federal Information Security Modernization Act of 2024, and annually thereafter, the head of an agency, in coordination with any official who delays a notification under subsection (d), shall submit to the appropriate reporting entities a report on each delay that occurred during the previous 2 years.

''(2) COMPONENT OF OTHER REPORT.—The head of an agency may submit the report required under paragraph (1) as a component of the report submitted under section 3554(c).

''(g) CONGRESSIONAL REPORTING REQUIREMENTS.—

''(1) REVIEW AND UPDATE.—On a periodic basis, the Director of the Office of Management and Budget shall review, and update as appropriate, breach notification policies and guidelines for agencies.

''(2) REQUIRED NOTICE FROM AGENCIES.—Subject to paragraph (4), the Director of the Office of Management and Budget shall require the head of an agency affected by a covered breach to expeditiously and not later than 30 days after the date on which the agency discovers the covered breach give notice of the breach, which may be provided electronically, to—

''(A) each congressional committee described in section 3554(c)(1); and

''(B) the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

''(3) CONTENTS OF NOTICE.—Notice of a covered breach provided by the head of an agency pursuant to paragraph (2) shall include, to the extent practicable—

''(A) information about the covered breach, including a summary of any information about how the covered breach occurred

known by the agency as of the date of the notice;

''(B) an estimate of the number of individuals affected by the covered breach based on information known by the agency as of the date of the notice, including an assessment of the risk of harm to affected individuals;

''(C) a description of any circumstances necessitating a delay in providing notice to individuals affected by the covered breach in accordance with subsection (d); and

''(D) an estimate of when the agency will provide notice to individuals affected by the covered breach, if applicable.

''(4) EXCEPTION.—Any agency that is required to provide notice to Congress pursuant to paragraph (2) due to a covered breach exclusively on a national security system shall only provide such notice to—

''(A) the majority and minority leaders of the Senate;

''(B) the Speaker and minority leader of the House of Representatives;

''(C) the appropriations committees of Congress;

''(D) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(E) the Select Committee on Intelligence of the Senate;

''(F) the Committee on Oversight and Accountability of the House of Representatives; and

''(G) the Permanent Select Committee on Intelligence of the House of Representatives.

''(5) RULE OF CONSTRUCTION.—Nothing in paragraphs (1) through (3) shall be construed to alter any authority of an agency.

''(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) limit—

''(A) the authority of the Director to issue guidance relating to notifications of, or the head of an agency to notify individuals potentially affected by, breaches that are not determined to be covered breaches or major incidents;

''(B) the authority of the Director to issue guidance relating to notifications and reporting of breaches, covered breaches, or major incidents;

''(C) the authority of the head of an agency to provide more information than required under subsection (b) when notifying individuals potentially affected by a breach;

''(D) the timing of incident reporting or the types of information included in incident reports provided, pursuant to this subchapter, to—

''(i) the Director;

''(ii) the National Cyber Director;

''(iii) the Director of the Cybersecurity and Infrastructure Security Agency; or

''(iv) any other agency;

''(E) the authority of the head of an agency to provide information to Congress about agency breaches, including—

''(i) breaches that are not covered breaches; and

''(ii) additional information beyond the information described in subsection (g)(3); or

''(F) any congressional reporting requirements of agencies under any other law; or

''(2) limit or supersede any existing privacy protections in existing law.

''§ 3593. Congressional and executive branch reports on major incidents

''(a) APPROPRIATE CONGRESSIONAL ENTITIES.—In this section, the term 'appropriate congressional entities' means—

''(1) the majority and minority leaders of the Senate;

''(2) the Speaker and minority leader of the House of Representatives;

''(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(4) the Committee on Commerce, Science, and Transportation of the Senate;

''(5) the Committee on Oversight and Accountability of the House of Representatives;

''(6) the Committee on Homeland Security of the House of Representatives;

''(7) the Committee on Science, Space, and Technology of the House of Representatives; and

''(8) the appropriate authorization and appropriations committees of Congress.

''(b) INITIAL NOTIFICATION.—

''(1) IN GENERAL.—Not later than 72 hours after an agency has a reasonable basis to conclude that a major incident occurred, the head of the agency impacted by the major incident shall submit to the appropriate reporting entities a written notification, which may be submitted electronically and include 1 or more annexes that contain classified or other sensitive information, as appropriate.

''(2) CONTENTS.—A notification required under paragraph (1) with respect to a major incident shall include the following, based on information available to agency officials as of the date on which the agency submits the notification:

''(A) A summary of the information available about the major incident, including how the major incident occurred and the threat causing the major incident.

''(B) If applicable, information relating to any breach associated with the major incident, regardless of whether—

''(i) the breach was the reason the incident was determined to be a major incident; and

''(ii) head of the agency determined it was appropriate to provide notification to potentially impacted individuals pursuant to section 3592(b)(1).

''(C) A preliminary assessment of the impacts to—

''(i) the agency;

''(ii) the Federal Government;

''(iii) the national security, foreign relations, homeland security, and economic security of the United States; and

''(iv) the civil liberties, public confidence, privacy, and public health and safety of the people of the United States.

''(D) If applicable, whether any ransom has been demanded or paid, or is expected to be paid, by any entity operating a Federal information system or with access to Federal information or a Federal information system, including, as available, the name of the entity demanding ransom, the date of the demand, and the amount and type of currency demanded, unless disclosure of such information will disrupt an active Federal law enforcement or national security operation.

''(c) SUPPLEMENTAL UPDATE.—Within a reasonable amount of time, but not later than 30 days after the date on which the head of an agency submits a written notification under subsection (b), the head of the agency shall provide to the appropriate congressional entities an unclassified and written update, which may include 1 or more annexes that contain classified or other sensitive information, as appropriate, on the major incident, based on information available to agency officials as of the date on which the agency provides the update, on—

''(1) system vulnerabilities relating to the major incident, where applicable, means by which the major incident occurred, the threat causing the major incident, where applicable, and impacts of the major incident to—

''(A) the agency;

''(B) other Federal agencies, Congress, or the judicial branch;

''(C) the national security, foreign relations, homeland security, or economic security of the United States; or

''(D) the civil liberties, public confidence, privacy, or public health and safety of the people of the United States;

''(2) the status of compliance of the affected Federal information system with applicable security requirements at the time of the major incident;

''(3) if the major incident involved a breach, a description of the affected information, an estimate of the number of individuals potentially impacted, and any assessment to the risk of harm to such individuals;

''(4) an update to the assessment of the risk to agency operations, or to impacts on other agency or non-Federal entity operations, affected by the major incident;

''(5) the detection, response, and remediation actions of the agency, including any support provided by the Cybersecurity and Infrastructure Security Agency under section 3594(d), if applicable;

''(6) as appropriate and available, actions undertaken by any non-Federal entities impacted by or supporting remediation of the major incident; and

''(7) as appropriate and available, recommendations for mitigating future similar incidents, including recommendations from any non-Federal entity impacted by or supporting the remediation of the major incident.

''(d) ADDITIONAL UPDATE.—If the head of an agency, the Director, or the National Cyber Director determines that there is any significant change in the understanding of the scope, scale, or consequence of a major incident for which the head of the agency submitted a written notification and update under subsections (b) and (c), the head of the agency shall submit to the appropriate congressional entities a written update that includes information relating to the change in understanding.

''(e) BIENNIAL REPORT.—Each agency shall submit as part of the biennial report required under section 3554(c)(1) a description of each major incident that occurred during the 2-year period preceding the date on which the biennial report is submitted.

''(f) REPORT DELIVERY.—

''(1) IN GENERAL.—Any written notification or update required to be submitted under this section—

''(A) shall be submitted in an electronic format; and

''(B) may be submitted in a paper format.

''(2) CLASSIFICATION STATUS.—Any written notification or update required to be submitted under this section—

''(A) shall be—

''(i) unclassified; and

''(ii) submitted through unclassified electronic means pursuant to paragraph (1)(A); and

''(B) may include classified annexes, as appropriate.

''(g) REPORT CONSISTENCY.—To achieve consistent and coherent agency reporting to Congress, the National Cyber Director, in coordination with the Director, shall—

''(1) provide recommendations to agencies on formatting and the contents of information to be included in the reports required under this section, including recommendations for consistent formats for presenting any associated metrics; and

''(2) maintain a comprehensive record of each major incident notification, update, and briefing provided under this section, which shall—

''(A) include, at a minimum—

''(i) the full contents of the written notification or update;

''(ii) the identity of the reporting agency; and

''(iii) the date of submission; and

''(iv) a list of the recipient congressional entities; and

''(B) be made available upon request to the majority and minority leaders of the Senate, the Speaker and minority leader of the

House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Accountability of the House of Representatives.

''(h) NATIONAL SECURITY SYSTEMS CONGRESSIONAL REPORTING EXEMPTION.—With respect to a major incident that occurs exclusively on a national security system, the head of the affected agency shall submit the notifications and reports required to be submitted to Congress under this section only to—

''(1) the majority and minority leaders of the Senate;

''(2) the Speaker and minority leader of the House of Representatives;

''(3) the appropriations committees of Congress;

''(4) the appropriate authorization committees of Congress;

''(5) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(6) the Select Committee on Intelligence of the Senate;

''(7) the Committee on Oversight and Accountability of the House of Representatives; and

''(8) the Permanent Select Committee on Intelligence of the House of Representatives.

''(i) MAJOR INCIDENTS INCLUDING BREACHES.—If a major incident constitutes a covered breach, as defined in section 3592(a), information on the covered breach required to be submitted to Congress pursuant to section 3592(g) may—

''(1) be included in the notifications required under subsection (b) or (c); or

''(2) be reported to Congress under the process established under section 3592(g).

''(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) limit—

''(A) the ability of an agency to provide additional reports or briefings to Congress;

''(B) Congress from requesting additional information from agencies through reports, briefings, or other means; and

''(C) any congressional reporting requirements of agencies under any other law; or

''(2) limit or supersede any privacy protections under any other law.

''§ 3594. Government information sharing and incident response

''(a) IN GENERAL.—

''(1) INCIDENT SHARING.—Subject to paragraph (4) and subsection (b), and in accordance with the applicable requirements pursuant to section 3553(b)(2)(A) for reporting to the Federal information security incident center established under section 3556, the head of each agency shall provide to the Cybersecurity and Infrastructure Security Agency information relating to any incident affecting the agency, whether the information is obtained by the Federal Government directly or indirectly.

''(2) CONTENTS.—A provision of information relating to an incident made by the head of an agency under paragraph (1) shall include, at a minimum—

''(A) a full description of the incident, including—

''(i) all indicators of compromise and tactics, techniques, and procedures;

''(ii) an indicator of how the intruder gained initial access, accessed agency data or systems, and undertook additional actions on the network of the agency;

''(iii) information that would support enabling defensive measures; and

''(iv) other information that may assist in identifying other victims;

''(B) information to help prevent similar incidents, such as information about relevant safeguards in place when the incident occurred and the effectiveness of those safeguards; and

''(C) information to aid in incident response, such as—

''(i) a description of the affected systems or networks;

''(ii) the estimated dates of when the incident occurred; and

''(iii) information that could reasonably help identify any malicious actor that may have conducted or caused the incident, subject to appropriate privacy protections.

''(3) INFORMATION SHARING.—The Director of the Cybersecurity and Infrastructure Security Agency shall—

''(A) make incident information provided under paragraph (1) available to the Director and the National Cyber Director;

''(B) to the greatest extent practicable, share information relating to an incident with—

''(i) the head of any agency that may be—

''(I) impacted by the incident;

''(II) particularly susceptible to the incident; or

''(III) similarly targeted by the incident; and

''(ii) appropriate Federal law enforcement agencies to facilitate any necessary threat response activities, as requested;

''(C) coordinate any necessary information sharing efforts relating to a major incident with the private sector; and

''(D) notify the National Cyber Director of any efforts described in subparagraph (C).

''(4) NATIONAL SECURITY SYSTEMS EXEMPTION.—

''(A) IN GENERAL.—Notwithstanding paragraphs (1) and (3), each agency operating or exercising control of a national security system shall share information about an incident that occurs exclusively on a national security system with the Secretary of Defense, the Director, the National Cyber Director, and the Director of the Cybersecurity and Infrastructure Security Agency to the extent consistent with standards and guidelines for national security systems issued in accordance with law and as directed by the President.

''(B) PROTECTIONS.—Any information sharing and handling of information under this paragraph shall be appropriately protected consistent with procedures authorized for the protection of sensitive sources and methods or by procedures established for information that have been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept classified in the interest of national defense or foreign policy.

''(b) AUTOMATION.—In providing information and selecting a method to provide information under subsection (a), the head of each agency shall implement subsection (a)(1) in a manner that provides such information to the Cybersecurity and Infrastructure Security Agency in an automated and machine-readable format, to the greatest extent practicable.

''(c) INCIDENT RESPONSE.—Each agency that has a reasonable basis to suspect or conclude that a major incident occurred involving Federal information in electronic medium or form that does not exclusively involve a national security system shall coordinate with—

''(1) the Cybersecurity and Infrastructure Security Agency to facilitate asset response activities and provide recommendations for mitigating future incidents; and

''(2) consistent with relevant policies, appropriate Federal law enforcement agencies to facilitate threat response activities.

''§ 3595. Responsibilities of contractors and awardees

''(a) NOTIFICATION.—

''(1) IN GENERAL.—Any contractor or awardee of an agency shall provide written notification to the agency if the contractor or awardee has a reasonable basis to conclude that—

''(A) an incident or breach has occurred with respect to Federal information the contractor or awardee collected, used, or maintained on behalf of an agency;

''(B) an incident or breach has occurred with respect to a Federal information system used, operated, managed, or maintained on behalf of an agency by the contractor or awardee;

''(C) a component of any Federal information system operated, managed, or maintained by a contractor or awardee contains a security vulnerability, including a supply chain compromise or an identified software or hardware vulnerability, for which there is reliable evidence of a successful exploitation of the vulnerability by an actor without authorization of the Federal information system owner; or

''(D) the contractor or awardee has received from the agency personally identifiable information or personal health information that is beyond the scope of the contract or agreement with the agency that the contractor or awardee is not authorized to receive.

''(2) THIRD-PARTY NOTIFICATION OF VULNERABILITIES.—Subject to the guidance issued by the Director pursuant to paragraph (4), any contractor or awardee of an agency shall provide written notification to the agency and the Cybersecurity and Infrastructure Security Agency if the contractor or awardee has a reasonable basis to conclude that a component of any Federal information system operated, managed, or maintained on behalf of an agency by the contractor or awardee on behalf of the agency contains a security vulnerability, including a supply chain compromise or an identified software or hardware vulnerability, that has been reported to the contractor or awardee by a third party, including through a vulnerability disclosure program.

''(3) PROCEDURES.—

''(A) SHARING WITH CISA.—As soon as practicable following a notification of an incident or vulnerability to an agency by a contractor or awardee under paragraph (1), the head of the agency shall provide, pursuant to section 3594, information about the incident or vulnerability to the Director of the Cybersecurity and Infrastructure Security Agency.

''(B) TIMING OF NOTIFICATIONS.—Unless a different time for notification is specified in a contract, grant, cooperative agreement, or other transaction agreement, a contractor or awardee shall—

''(i) make a notification required under paragraph (1) not later than 1 day after the date on which the contractor or awardee has reasonable basis to suspect or conclude that the criteria under paragraph (1) have been met; and

''(ii) make a notification required under paragraph (2) within a reasonable time, but not later than 90 days after the date on which the contractor or awardee has reasonable basis to suspect or conclude that the criteria under paragraph (2) have been met.

''(C) PROCEDURES.—Following a notification of a breach or incident to an agency by a contractor or awardee under paragraph (1), the head of the agency, in consultation with the contractor or awardee, shall carry out the applicable requirements under sections 3592, 3593, and 3594 with respect to the breach or incident.

''(D) RULE OF CONSTRUCTION.—Nothing in subparagraph (B) shall be construed to allow the negation of the requirements to notify vulnerabilities under paragraph (1) or (2) through a contract, grant, cooperative agreement, or other transaction agreement.

''(4) GUIDANCE.—The Director shall issue guidance as soon as practicable to agencies relating to the scope of vulnerabilities to be included in required notifications under paragraph (2), such as the minimum severity or minimum risk level of a vulnerability included in required notifications, whether vulnerabilities that are already publicly disclosed must be reported, or likely cybersecurity impact to Federal information systems.

''(b) REGULATIONS; MODIFICATIONS.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of the Federal Information Security Modernization Act of 2024—

''(A) the Federal Acquisition Regulatory Council shall promulgate regulations, as appropriate, relating to the responsibilities of contractors and recipients of other transaction agreements and cooperative agreements to comply with this section; and

''(B) the Office of Federal Financial Management shall promulgate regulations under title 2, Code of Federal Regulations, as appropriate, relating to the responsibilities of grantees to comply with this section.

''(2) IMPLEMENTATION.—Not later than 1 year after the date on which the Federal Acquisition Regulatory Council and the Office of Federal Financial Management promulgates regulations under paragraph (1), the head of each agency shall implement policies and procedures, as appropriate, necessary to implement those regulations.

''(3) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—The head of each agency head shall notify the Director upon implementation of policies and procedures necessary to implement the regulations promulgated under paragraph (1).

''(B) OMB NOTIFICATION.— Not later than 30 days after the date described in paragraph (2), the Director shall notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committees on Oversight and Accountability and Homeland Security of the House of Representatives on the status of the implementation by each agency of the regulations promulgated under paragraph (1).

''(c) ALLOWABLE USE.—Information provided to an agency pursuant to this section may be disclosed to, retained by, and used by any agency, component, officer, employee, or agent of the Federal Government solely for any of the following:

''(1) A cybersecurity purpose (as defined in section 2200 of the Homeland Security Act of 2002 (6 U.S.C. 650)).

''(2) Identifying—

''(A) a cyber threat (as defined in such section 2200), including the source of the cyber threat; or

''(B) a security vulnerability (as defined in such section 2200).

''(3) Preventing, investigating, disrupting, or prosecuting an offense arising out of an incident notified to an agency pursuant to this section or any of the offenses listed in section 105(d)(5)(A)(v) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1504(d)(5)(A)(v)).

''(d) HARMONIZATION OF OTHER PRIVATE-SECTOR CYBERSECURITY REPORTING OBLIGATIONS.—Any non-Federal entity required to report an incident under section 2242 of the Homeland Security Act of 2002 (6 U.S.C. 681b) may submit as part of the written notification requirements in this section all information required by such section 2242 to the agency of which the entity is a contractor or recipient of Federal financial assistance, or with which the entity holds an other transaction agreement or cooperative agreement, within the deadline specified in subsection (a)(3)(B)(1). If such submission is completed, the non-Federal entity shall not be required to subsequently report the same incident under the requirements of such section 2242. Any incident information shared under this subsection shall be shared with the Director of the Cybersecurity and Infrastructure Security Agency pursuant to subsection (a)(3)(A).

''(e) NATIONAL SECURITY SYSTEMS EXEMPTION.—Notwithstanding any other provision of this section, a contractor or awardee of an agency that would be required to report an incident or vulnerability pursuant to this section that occurs exclusively on a national security system shall—

''(1) report the incident or vulnerability to the head of the agency and the Secretary of Defense; and

''(2) comply with applicable laws and policies relating to national security systems.

''§ 3596. Training

''(a) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means an individual who obtains access to a Federal information system because of the status of the individual as—

''(1) an employee, contractor, awardee, volunteer, or intern of an agency; or

''(2) an employee of a contractor or awardee of an agency.

''(b) BEST PRACTICES AND CONSISTENCY.—The Director of the Cybersecurity and Infrastructure Security Agency, in consultation with the Director, the National Cyber Director, and the Director of the National Institute of Standards and Technology, shall consolidate best practices to support consistency across agencies in cybersecurity incident response training, including—

''(1) information to be collected and shared with the Cybersecurity and Infrastructure Security Agency pursuant to section 3594(a) and processes for sharing such information; and

''(2) appropriate training and qualifications for cyber incident responders.

''(c) AGENCY TRAINING.—The head of each agency shall develop training for covered individuals on how to identify and respond to an incident, including—

''(1) the internal process of the agency for reporting an incident; and

''(2) the obligation of a covered individual to report to the agency any suspected or confirmed incident involving Federal information in any medium or form, including paper, oral, and electronic.

''(d) INCLUSION IN ANNUAL TRAINING.—The training developed under subsection (c) may be included as part of an annual privacy, security awareness, or other appropriate training of an agency.

''§ 3597. Analysis and report on Federal incidents

''(a) ANALYSIS OF FEDERAL INCIDENTS.—

''(1) QUANTITATIVE AND QUALITATIVE ANALYSES.—The Director of the Cybersecurity and Infrastructure Security Agency shall perform and, in coordination with the Director and the National Cyber Director, develop, continuous monitoring and quantitative and qualitative analyses of incidents at agencies, including major incidents, including—

''(A) the causes of incidents, including—

''(i) attacker tactics, techniques, and procedures; and

''(ii) system vulnerabilities, including zero days, unpatched systems, and information system misconfigurations;

''(B) the scope and scale of incidents at agencies;

''(C) common root causes of incidents across multiple agencies;

''(D) agency incident response, recovery, and remediation actions and the effectiveness of those actions, as applicable;

''(E) lessons learned and recommendations in responding to, recovering from, remediating, and mitigating future incidents; and

''(F) trends across multiple agencies to address intrusion detection and incident response capabilities using the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c)).

''(2) AUTOMATED ANALYSIS.—The analyses developed under paragraph (1) shall, to the greatest extent practicable, use machine-readable data, automation, and machine learning processes.

''(3) SHARING OF DATA AND ANALYSIS.—

''(A) IN GENERAL.—The Director of the Cybersecurity and Infrastructure Security Agency shall share on an ongoing basis the analyses and underlying data required under this subsection with agencies, the Director, and the National Cyber Director to—

''(i) improve the understanding of cybersecurity risk of agencies; and

''(ii) support the cybersecurity improvement efforts of agencies.

''(B) FORMAT.—In carrying out subparagraph (A), the Director of the Cybersecurity and Infrastructure Security Agency shall share the analyses—

''(i) in human-readable written products; and

''(ii) to the greatest extent practicable, in machine-readable formats in order to enable automated intake and use by agencies.

''(C) EXEMPTION.—This subsection shall not apply to incidents that occur exclusively on national security systems.

''(b) ANNUAL REPORT ON FEDERAL INCIDENTS.—Not later than 2 years after the date of enactment of this section, and not less frequently than annually thereafter, the Director of the Cybersecurity and Infrastructure Security Agency, in consultation with the Director, the National Cyber Director and the heads of other agencies, as appropriate, shall submit to the appropriate reporting entities a report that includes—

''(1) a summary of causes of incidents from across the Federal Government that categorizes those incidents as incidents or major incidents;

''(2) the quantitative and qualitative analyses of incidents developed under subsection (a)(1) on an agency-by-agency basis and comprehensively across the Federal Government, including—

''(A) a specific analysis of breaches; and

''(B) an analysis of the Federal Government's performance against the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c)); and

''(3) an annex for each agency that includes—

''(A) a description of each major incident;

''(B) the total number of incidents of the agency; and

''(C) an analysis of the agency's performance against the metrics established under section 224(c) of the Cybersecurity Act of 2015 (6 U.S.C. 1522(c)).

''(c) PUBLICATION.—

''(1) IN GENERAL.—The Director of the Cybersecurity and Infrastructure Security Agency shall make a version of each report submitted under subsection (b) publicly available on the website of the Cybersecurity and Infrastructure Security Agency during the year during which the report is submitted.

''(2) EXEMPTION.—The publication requirement under paragraph (1) shall not apply to a portion of a report that contains content that should be protected in the interest of national security, as determined by the Director, the Director of the Cybersecurity and Infrastructure Security Agency, or the National Cyber Director.

''(3) LIMITATION ON EXEMPTION.—The exemption under paragraph (2) shall not apply to any version of a report submitted to the appropriate reporting entities under subsection (b).

''(4) REQUIREMENT FOR COMPILING INFORMATION.—

''(A) COMPILATION.—Subject to subparagraph (B), in making a report publicly available under paragraph (1), the Director of the Cybersecurity and Infrastructure Security Agency shall sufficiently compile information so that no specific incident of an agency can be identified.

''(B) EXCEPTION.—The Director of the Cybersecurity and Infrastructure Security Agency may include information that enables a specific incident of an agency to be identified in a publicly available report—

''(i) with the concurrence of the Director and the National Cyber Director;

''(ii) in consultation with the impacted agency, which may, as appropriate, consult with any non-Federal entity impacted by or supporting the remediation of such incident; and

''(iii) in consultation with the inspector general of the impacted agency.

''(d) INFORMATION PROVIDED BY AGENCIES.—

''(1) IN GENERAL.—The analysis required under subsection (a) and each report submitted under subsection (b) shall use information provided by agencies under section 3594(a).

''(2) NONCOMPLIANCE REPORTS.—During any year during which the head of an agency does not provide data for an incident to the Cybersecurity and Infrastructure Security Agency in accordance with section 3594(a), the head of the agency, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency and the Director, shall submit to the appropriate reporting entities a report that includes the information described in subsection (b) with respect to the agency.

''(e) NATIONAL SECURITY SYSTEM REPORTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, the Secretary of Defense, in consultation with the Director, the National Cyber Director, the Director of National Intelligence, and the Director of the Cybersecurity and Infrastructure Security Agency shall annually submit a report that includes the information described in subsection (b) with respect to national security systems, to the extent that the submission is consistent with standards and guidelines for national security systems issued in accordance with law and as directed by the President, to—

''(A) the majority and minority leaders of the Senate;

''(B) the Speaker and minority leader of the House of Representatives;

''(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

''(D) the Select Committee on Intelligence of the Senate;

''(E) the Committee on Armed Services of the Senate;

''(F) the Committee on Appropriations of the Senate;

''(G) the Committee on Oversight and Accountability of the House of Representatives;

''(H) the Committee on Homeland Security of the House of Representatives;

''(I) the Permanent Select Committee on Intelligence of the House of Representatives;

''(J) the Committee on Armed Services of the House of Representatives; and

''(K) the Committee on Appropriations of the House of Representatives.

''(2) CLASSIFIED FORM.—A report required under paragraph (1) may be submitted in a classified form.

''§ 3598. Major incident definition

''(a) IN GENERAL.—Not later than 1 year after the later of the date of enactment of the Federal Information Security Modernization Act of 2024 and the most recent publication by the Director of guidance to agencies regarding major incidents as of the date of enactment of the Federal Information Security Modernization Act of 2024, the Director shall develop, in coordination with the National Cyber Director, and promulgate guidance on the definition of the term 'major incident' for the purposes of subchapter II and this subchapter.

''(b) REQUIREMENTS.—With respect to the guidance issued under subsection (a), the definition of the term 'major incident' shall—

''(1) include, with respect to any information collected or maintained by or on behalf of an agency or a Federal information system—

''(A) any incident the head of the agency determines is likely to result in demonstrable harm to—

''(i) the national security interests, foreign relations, homeland security, or economic security of the United States; or

''(ii) the civil liberties, public confidence, privacy, or public health and safety of the people of the United States;

''(B) any incident the head of the agency determines likely to result in an inability or substantial disruption for the agency, a component of the agency, or the Federal Government, to provide 1 or more critical services;

''(C) any incident the head of the agency determines substantially disrupts or substantially degrades the operations of a high value asset owned or operated by the agency;

''(D) any incident involving the exposure to a foreign entity of sensitive agency information, such as the communications of the head of the agency, the head of a component of the agency, or the direct reports of the head of the agency or the head of a component of the agency; and

''(E) any other type of incident determined appropriate by the Director;

''(2) stipulate that the National Cyber Director, in consultation with the Director and the Director of the Cybersecurity and Infrastructure Security Agency, may declare a major incident at any agency, and such a declaration shall be considered if it is determined that an incident—

''(A) occurs at not less than 2 agencies; and

''(B) is enabled by—

''(i) a common technical root cause, such as a supply chain compromise, or a common software or hardware vulnerability; or

''(ii) the related activities of a common threat actor;

''(3) stipulate that, in determining whether an incident constitutes a major incident under the standards described in paragraph (1), the head of the agency shall consult with the National Cyber Director; and

''(4) stipulate that the mere report of a vulnerability discovered or disclosed without a loss of confidentiality, integrity, or availability shall not on its own constitute a major incident.

''(c) EVALUATION AND UPDATES.—Not later than 60 days after the date on which the Director first promulgates the guidance required under subsection (a), and not less frequently than once during the first 90 days of each evenly numbered Congress thereafter, the Director shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committees on Oversight and Accountability and Homeland Security of the House of Representatives a briefing that includes—

''(1) an evaluation of any necessary updates to the guidance;

''(2) an evaluation of any necessary updates to the definition of the term 'major incident' included in the guidance; and

''(3) an explanation of, and the analysis that led to, the definition described in paragraph (2).''.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by adding at the end the following:

''SUBCHAPTER IV—FEDERAL SYSTEM INCIDENT RESPONSE

''3591. Definitions.
''3592. Notification of breach.
''3593. Congressional and executive branch reports on major incidents.
''3594. Government information sharing and incident response.
''3595. Responsibilities of contractors and awardees.
''3596. Training.
''3597. Analysis and report on Federal incidents.
''3598. Major incident definition.''.

(b) AMENDMENTS TO SUBTITLE III OF TITLE 40.—

(1) MODERNIZING GOVERNMENT TECHNOLOGY.—Subtitle G of title X of division A of the National Defense Authorization Act for Fiscal Year 2018 (40 U.S.C. 11301 note) is amended in section 1078—

(A) by striking subsection (a) and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term in section 551 of title 5, United States Code.

''(2) HIGH VALUE ASSET.—The term 'high value asset' has the meaning given the term in section 3552 of title 44, United States Code.'';

(B) in subsection (b), by adding at the end the following:

''(8) PROPOSAL EVALUATION.—The Director shall—

''(A) give consideration for the use of amounts in the Fund to improve the security of high value assets; and

''(B) require that any proposal for the use of amounts in the Fund includes, as appropriate, and which may be incorporated into otherwise required project proposal documentation—

''(i) cybersecurity risk management considerations; and

''(ii) a supply chain risk assessment in accordance with section 1326 of title 41.''; and

(C) in subsection (c)—

(i) in paragraph (2)(A)(i), by inserting '', including a consideration of the impact on high value assets'' after ''operational risks'';

(ii) in paragraph (5)—

(I) in subparagraph (A), by striking ''and'' at the end;

(II) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(C) a senior official from the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, appointed by the Director.''; and

(iii) in paragraph (6)(A), by striking ''shall be—'' and all that follows through ''4 employees'' and inserting ''shall be 4 employees''.

(2) SUBCHAPTER I.—Subchapter I of chapter 113 of subtitle III of title 40, United States Code, is amended—

(A) in section 11302—

(i) in subsection (b), by striking ''use, security, and disposal of'' and inserting ''use, and disposal of, and, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency and the National Cyber Director, promote and improve the security of,''; and

(ii) in subsection (h), by inserting '', including cybersecurity performances,'' after ''the performances''; and

(B) in section 11303(b)(2)(B)—

(i) in clause (i), by striking ''or'' at the end;

(ii) in clause (ii), by adding ''or'' at the end; and

(iii) by adding at the end the following:

''(iii) whether the function should be performed by a shared service offered by another executive agency;''.

(3) SUBCHAPTER II.—Subchapter II of chapter 113 of subtitle III of title 40, United States Code, is amended—

(A) in section 11312(a), by inserting '', including security risks'' after ''managing the risks'';

(B) in section 11313(1), by striking ''efficiency and effectiveness'' and inserting ''efficiency, security, and effectiveness'';

(C) in section 11317, by inserting ''security,'' before ''or schedule''; and

(D) in section 11319(b)(1), in the paragraph heading, by striking ''CIOS'' and inserting ''CHIEF INFORMATION OFFICERS''.

(c) ACTIONS TO ENHANCE FEDERAL INCIDENT TRANSPARENCY.—

(1) RESPONSIBILITIES OF THE CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Director of the Cybersecurity and Infrastructure Security Agency shall—

(i) develop a plan for the development, using systems in place on the date of enactment of this section, of the analysis required under section 3597(a) of title 44, United States Code, as added by this section, and the report required under subsection (b) of that section that includes—

(I) a description of any challenges the Director of the Cybersecurity and Infrastructure Security Agency anticipates encountering; and

(II) the use of automation and machine-readable formats for collecting, compiling, monitoring, and analyzing data; and

(ii) provide to the appropriate congressional committees a briefing on the plan developed under clause (i).

(B) BRIEFING.—Not later than 1 year after the date of enactment of this section, the Director of the Cybersecurity and Infrastructure Security Agency shall provide to the appropriate congressional committees a briefing on—

(i) the execution of the plan required under subparagraph (A)(i); and

(ii) the development of the report required under section 3597(b) of title 44, United States Code, as added by this section.

(2) RESPONSIBILITIES OF THE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET.—

(A) UPDATING FISMA 2014.—Section 2 of the Federal Information Security Modernization Act of 2014 (Public Law 113–283; 128 Stat. 3073) is amended—

(i) by striking subsections (b) and (d); and

(ii) by redesignating subsections (c), (e), and (f) as subsections (b), (c), and (d), respectively.

(B) INCIDENT DATA SHARING.—

(i) IN GENERAL.—The Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall develop, and as appropriate update, guidance, on the content, timeliness, and format of the information provided by agencies under section 3594(a) of title 44, United States Code, as added by this section.

(ii) REQUIREMENTS.—The guidance developed under clause (i) shall—

(I) enable the efficient development of—

(aa) lessons learned and recommendations in responding to, recovering from, remediating, and mitigating future incidents; and

(bb) the report on Federal incidents required under section 3597(b) of title 44, United States Code, as added by this section; and

(II) include requirements for the timeliness of data production.

(iii) AUTOMATION.—The Director, in coordination with the Director of the Cybersecurity and Infrastructure Security Agency, shall promote, as feasible, the use of automation and machine-readable data for data sharing under section 3594(a) of title 44, United States Code, as added by this section.

(C) CONTRACTOR AND AWARDEE GUIDANCE.—

(i) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Director shall issue guidance to agencies on how to deconflict, to the greatest extent practicable, existing regulations, policies, and procedures relating to the responsibilities of contractors and awardees established under section 3595 of title 44, United States Code, as added by this section.

(ii) EXISTING PROCESSES.—To the greatest extent practicable, the guidance issued under clause (i) shall allow contractors and awardees to use existing processes for notifying agencies of incidents involving information of the Federal Government.

(3) UPDATE TO THE PRIVACY ACT OF 1974.—Section 552a(b) of title 5, United States Code (commonly known as the ''Privacy Act of 1974'') is amended—

(A) in paragraph (11), by striking ''or'' at the end;

(B) in paragraph (12), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(13) to another agency, to the extent necessary, to assist the recipient agency in responding to an incident (as defined in section 3552 of title 44) or breach (as defined in section 3591 of title 44) or to fulfill the information sharing requirements under section 3594 of title 44.''.

(d) AGENCY REQUIREMENTS TO NOTIFY PRIVATE SECTOR ENTITIES IMPACTED BY INCIDENTS.—

(1) GUIDANCE ON NOTIFICATION OF REPORTING ENTITIES.—Not later than 1 year after the date of enactment of this section, the Director shall develop, in consultation with the National Cyber Director, and issue guidance requiring the head of each agency to notify a reporting entity in an appropriate and timely manner, and take into consideration the need to coordinate with Sector Risk Management Agencies (as defined in section 2200 of the Homeland Security Act of 2002 (6 U.S.C. 650)), as appropriate, of an incident at the agency that is likely to substantially affect—

(A) the confidentiality or integrity of sensitive information submitted by the reporting entity to the agency pursuant to a statutory or regulatory requirement; or

(B) any information system (as defined in section 3502 of title 44, United States Code) used in the transmission or storage of the sensitive information described in subparagraph (A).

(2) DEFINITIONS.—In this subsection:

(A) REPORTING ENTITY.—The term ''reporting entity'' means private organization or governmental unit that is required by statute or regulation to submit sensitive information to an agency.

(B) SENSITIVE INFORMATION.—The term ''sensitive information'' has the meaning given the term by the Director in guidance issued under paragraph (1).

(e) FEDERAL PENETRATION TESTING POLICY.—

(1) IN GENERAL.—Subchapter II of chapter 35 of title 44, United States Code, is amended by adding at the end the following:

''§ 3559A. Federal penetration testing

''(a) GUIDANCE.—The Director, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency, shall issue guidance to agencies that—

''(1) requires agencies to perform penetration testing on information systems, as appropriate, including on high value assets;

''(2) provides policies governing the development of—

''(A) rules of engagement for using penetration testing; and

''(B) procedures to use the results of penetration testing to improve the cybersecurity and risk management of the agency;

''(3) ensures that operational support or a shared service is available; and

''(4) in no manner restricts the authority of the Secretary of Homeland Security or the Director of the Cybersecurity and Infrastructure Agency to conduct threat hunting pursuant to section 3553, or penetration testing under this chapter.

''(b) EXCEPTION FOR NATIONAL SECURITY SYSTEMS.—The guidance issued under subsection (a) shall not apply to national security systems.

''(c) DELEGATION OF AUTHORITY FOR CERTAIN SYSTEMS.—The authorities of the Director described in subsection (a) shall be delegated to—

''(1) the Secretary of Defense in the case of a system described in section 3553(e)(2); and

''(2) the Director of National Intelligence in the case of a system described in section 3553(e)(3).''.

(2) EXISTING GUIDANCE.—

(A) IN GENERAL.—Compliance with guidance issued by the Director relating to penetration testing before the date of enactment of this section shall be deemed to be compliant with section 3559A of title 44, United States Code, as added by this section.

(B) IMMEDIATE NEW GUIDANCE NOT REQUIRED.—Nothing in section 3559A of title 44, United States Code, as added by this section, shall be construed to require the Director to issue new guidance to agencies relating to penetration testing before the date described in clause (iii).

(C) GUIDANCE UPDATES.—Notwithstanding clauses (i) and (ii), not later than 2 years after the date of enactment of this section, the Director shall review and, as appropriate, update existing guidance requiring penetration testing by agencies.

(3) CLERICAL AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by adding after the item relating to section 3559 the following:

''3559A. Federal penetration testing.''.

(4) PENETRATION TESTING BY THE SECRETARY OF HOMELAND SECURITY.—Section 3553(b) of title 44, United States Code, as amended by this section, is further amended by inserting after paragraph (8) the following:

''(9) performing penetration testing that may leverage manual expert analysis to identify threats and vulnerabilities within information systems—

''(A) without consent or authorization from agencies; and

''(B) with prior consultation with the head of the agency at least 72 hours in advance of such testing;''.

(f) VULNERABILITY DISCLOSURE POLICIES.—

(1) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by inserting after section 3559A, as added by this section, the following:

''§ 3559B. Federal vulnerability disclosure policies

''(a) PURPOSE; SENSE OF CONGRESS.—

''(1) PURPOSE.—The purpose of Federal vulnerability disclosure policies is to create a mechanism to enable the public to inform agencies of vulnerabilities in Federal information systems.

''(2) SENSE OF CONGRESS.—It is the sense of Congress that, in implementing the requirements of this section, the Federal Government should take appropriate steps to reduce real and perceived burdens in communications between agencies and security researchers.

''(b) DEFINITIONS.—In this section:

''(1) CONTRACTOR.—The term 'contractor' has the meaning given the term in section 3591.

''(2) INTERNET OF THINGS.—The term 'internet of things' has the meaning given the term in Special Publication 800–213 of the National Institute of Standards and Technology, entitled 'IoT Device Cybersecurity Guidance for the Federal Government: Establishing IoT Device Cybersecurity Requirements', or any successor document.

''(3) SECURITY VULNERABILITY.—The term 'security vulnerability' has the meaning given the term in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

''(4) SUBMITTER.—The term 'submitter' means an individual that submits a vulnerability disclosure report pursuant to the vulnerability disclosure process of an agency.

''(5) VULNERABILITY DISCLOSURE REPORT.—The term 'vulnerability disclosure report' means a disclosure of a security vulnerability made to an agency by a submitter.

''(c) GUIDANCE.—The Director shall issue guidance to agencies that includes—

''(1) use of the information system security vulnerabilities disclosure process guidelines established under section 4(a)(1) of the IoT Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g–3b(a)(1));

''(2) direction to not recommend or pursue legal action against a submitter or an individual that conducts a security research activity that—

''(A) represents a good faith effort to identify and report security vulnerabilities in information systems; or

''(B) otherwise represents a good faith effort to follow the vulnerability disclosure policy of the agency developed under subsection (f)(2);

''(3) direction on sharing relevant information in a consistent, automated, and machine-readable manner with the Director of the Cybersecurity and Infrastructure Security Agency;

''(4) the minimum scope of agency systems required to be covered by the vulnerability disclosure policy of an agency required under subsection (f)(2), including exemptions under subsection (g);

''(5) requirements for providing information to the submitter of a vulnerability disclosure report on the resolution of the vulnerability disclosure report;

''(6) a stipulation that the mere identification by a submitter of a security vulnerability, without a significant compromise of confidentiality, integrity, or availability, does not constitute a major incident; and

''(7) the applicability of the guidance to internet of things devices owned or controlled by an agency.

''(d) CONSULTATION.—In developing the guidance required under subsection (c)(3), the Director shall consult with the Director of the Cybersecurity and Infrastructure Security Agency.

''(e) RESPONSIBILITIES OF CISA.—The Director of the Cybersecurity and Infrastructure Security Agency shall—

''(1) provide support to agencies with respect to the implementation of the requirements of this section;

''(2) develop tools, processes, and other mechanisms determined appropriate to offer agencies capabilities to implement the requirements of this section;

''(3) upon a request by an agency, assist the agency in the disclosure to vendors of newly identified security vulnerabilities in vendor products and services; and

''(4) as appropriate, implement the requirements of this section, in accordance with the authority under section 3553(b)(8), as a shared service available to agencies.

''(f) RESPONSIBILITIES OF AGENCIES.—

''(1) PUBLIC INFORMATION.—The head of each agency shall make publicly available, with respect to each internet domain under the control of the agency that is not a national security system and to the extent consistent with the security of information systems but with the presumption of disclosure—

''(A) an appropriate security contact; and

''(B) the component of the agency that is responsible for the internet accessible services offered at the domain.

''(2) VULNERABILITY DISCLOSURE POLICY.—The head of each agency shall develop and make publicly available a vulnerability disclosure policy for the agency, which shall—

''(A) describe—

''(i) the scope of the systems of the agency included in the vulnerability disclosure policy, including for internet of things devices owned or controlled by the agency;

''(ii) the type of information system testing that is authorized by the agency;

''(iii) the type of information system testing that is not authorized by the agency;

''(iv) the disclosure policy for a contractor; and

''(v) the disclosure policy of the agency for sensitive information;

''(B) with respect to a vulnerability disclosure report to an agency, describe—

''(i) how the submitter should submit the vulnerability disclosure report; and

''(ii) if the report is not anonymous, when the reporter should anticipate an acknowledgment of receipt of the report by the agency;

''(C) include any other relevant information; and

''(D) be mature in scope and cover every internet accessible information system used or operated by that agency or on behalf of that agency.

''(3) IDENTIFIED SECURITY VULNERABILITIES.—The head of each agency shall—

''(A) consider security vulnerabilities reported in accordance with paragraph (2);

''(B) commensurate with the risk posed by the security vulnerability, address such security vulnerability using the security vulnerability management process of the agency; and

''(C) in accordance with subsection (c)(5), provide information to the submitter of a vulnerability disclosure report.

''(g) EXEMPTIONS.—

''(1) IN GENERAL.—The Director and the head of each agency shall carry out this section in a manner consistent with the protection of national security information.

''(2) LIMITATION.—The Director and the head of each agency may not publish under subsection (f)(1) or include in a vulnerability disclosure policy under subsection (f)(2) host names, services, information systems, or other information that the Director or the head of an agency, in coordination with the Director and other appropriate heads of agencies, determines would—

''(A) disrupt a law enforcement investigation;

''(B) endanger national security or intelligence activities; or

''(C) impede national defense activities or military operations.

''(3) NATIONAL SECURITY SYSTEMS.—This section shall not apply to national security systems.

''(h) DELEGATION OF AUTHORITY FOR CERTAIN SYSTEMS.—The authorities of the Director and the Director of the Cybersecurity and Infrastructure Security Agency described in this section shall be delegated—

''(1) to the Secretary of Defense in the case of systems described in section 3553(e)(2); and

''(2) to the Director of National Intelligence in the case of systems described in section 3553(e)(3).

''(i) REVISION OF FEDERAL ACQUISITION REGULATION.—The Federal Acquisition Regulation shall be revised as necessary to implement the provisions under this section.''.

(2) EXISTING GUIDANCE AND POLICIES.—

(A) IN GENERAL.—Compliance with guidance issued by the Director relating to vulnerability disclosure policies before the date of enactment of this section shall be deemed to be compliance with section 3559B of title 44, United States Code, as added by this section.

(B) IMMEDIATE NEW GUIDANCE NOT REQUIRED.—Nothing in section 3559B of title 44, United States Code, as added by this title, shall be construed to require the Director to issue new guidance to agencies relating to vulnerability disclosure policies before the date described in paragraph (4).

(C) IMMEDIATE NEW POLICIES NOT REQUIRED.—Nothing in section 3559B of title 44, United States Code, as added by this title, shall be construed to require the head of any agency to issue new policies relating to vulnerability disclosure policies before the issuance of any updated guidance under paragraph (4).

(D) GUIDANCE UPDATE.—Notwithstanding paragraphs (1), (2) and (3), not later than 4 years after the date of enactment of this section, the Director shall review and, as appropriate, update existing guidance relating to vulnerability disclosure policies.

(3) CLERICAL AMENDMENT.—The table of sections for chapter 35 of title 44, United States Code, is amended by adding after the item relating to section 3559A, as added by this section, the following:

''3559B. Federal vulnerability disclosure policies.''.

(4) CONFORMING UPDATE AND REPEAL.—

(A) GUIDELINES ON THE DISCLOSURE PROCESS FOR SECURITY VULNERABILITIES RELATING TO INFORMATION SYSTEMS, INCLUDING INTERNET OF THINGS DEVICES.—Section 5 of the IoT Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g–3c) is amended by striking subsections (d) and (e).

(B) IMPLEMENTATION AND CONTRACTOR COMPLIANCE.—The IoT Cybersecurity Improvement Act of 2020 (15 U.S.C. 278g–3a et seq.) is amended—

(i) by striking section 6 (15 U.S.C. 278g–3d); and

(ii) by striking section 7 (15 U.S.C. 278g–3e).

(g) IMPLEMENTING ZERO TRUST ARCHITECTURE.—

(1) BRIEFINGS.—Not later than 1 year after the date of enactment of this section, the Director shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committees on Oversight and Accountability and Homeland Security of the House of Representatives a briefing on progress in increasing the internal defenses of agency systems, including—

(A) shifting away from trusted networks to implement security controls based on a presumption of compromise, including through the transition to zero trust architecture;

(B) implementing principles of least privilege in administering information security programs;

(C) limiting the ability of entities that cause incidents to move laterally through or between agency systems;

(D) identifying incidents quickly;

(E) isolating and removing unauthorized entities from agency systems as quickly as practicable, accounting for intelligence or law enforcement purposes; and

(F) otherwise increasing the resource costs for entities that cause incidents to be successful.

(2) PROGRESS REPORT.—As a part of each report required to be submitted under section 3553(c) of title 44, United States Code, during the period beginning on the date that is 4 years after the date of enactment of this section and ending on the date that is 10 years after the date of enactment of this section, the Director shall include an update on agency implementation of zero trust architecture, which shall include—

(A) a description of steps agencies have completed, including progress toward achieving any requirements issued by the Director, including the adoption of any models or reference architecture;

(B) an identification of activities that have not yet been completed and that would have the most immediate security impact; and

(C) a schedule to implement any planned activities.

(3) CLASSIFIED ANNEX.—Each update required under paragraph (2) may include 1 or more annexes that contain classified or other sensitive information, as appropriate.

(4) NATIONAL SECURITY SYSTEMS.—

(A) BRIEFING.—Not later than 1 year after the date of enactment of this section, the Secretary of Defense shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Accountability of the House of Representatives, the Committee on Armed Services of the Senate, the Committee on Armed Services of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the implementation of zero trust architecture with respect to national security systems.

(B) PROGRESS REPORT.—Not later than the date on which each update is required to be submitted under paragraph (2), the Secretary of Defense shall submit to the congressional committees described in subparagraph (A) a progress report on the implementation of zero trust architecture with respect to national security systems.

(h) AUTOMATION AND ARTIFICIAL INTELLIGENCE.—

(1) USE OF ARTIFICIAL INTELLIGENCE.—

(A) IN GENERAL.—As appropriate, the Director shall issue guidance on the use of artificial intelligence by agencies to improve the cybersecurity of information systems.

(B) CONSIDERATIONS.—The Director and head of each agency shall consider the use and capabilities of artificial intelligence systems in furtherance of the cybersecurity of information systems.

(C) REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter until the date that is 5 years after the date of enactment of this section, the Director shall submit to the appropriate congressional committees a report on the use of artificial intelligence to further the cybersecurity of information systems.

(2) COMPTROLLER GENERAL REPORTS.—

(A) IN GENERAL.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the risks to the privacy of individuals and the cybersecurity of information systems associated with the use by Federal agencies of artificial intelligence systems or capabilities.

(B) STUDY.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall perform a study, and submit to the Committees on Homeland Security and Governmental Affairs and Commerce, Science, and Transportation of the Senate and the Committees on Oversight and Accountability, Homeland Security, and Science, Space, and Technology of the House of Representatives a report, on the use of automation, artificial intelligence, including generative artificial intelligence, and machine-readable data across the Federal Government for cybersecurity purposes, including—

(i) the automated updating of cybersecurity tools, sensors, or processes employed by agencies under paragraphs (1), (5)(C), and (8)(B) of section 3554(b) of title 44, United States Code, as amended by this section; and

(ii) to combat social engineering attacks.

(3) INFORMATION SYSTEM DEFINED.—In this subsection, the term ''information system'' has the meaning given the term in section 3502 of title 44, United States Code.

(i) FEDERAL CYBERSECURITY REQUIREMENTS.—

(1) CODIFYING FEDERAL CYBERSECURITY REQUIREMENTS IN TITLE 44.—

(A) AMENDMENT TO FEDERAL CYBERSECURITY ENHANCEMENT ACT OF 2015.—Section 225 of the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1523) is amended by striking subsections (b) and (c).

(B) TITLE 44.—Section 3554 of title 44, United States Code, as amended by this section, is further amended by adding at the end the following:

''(f) SPECIFIC CYBERSECURITY REQUIREMENTS AT AGENCIES.—

''(1) IN GENERAL.—Consistent with policies, standards, guidelines, and directives on information security under this subchapter, and except as provided under paragraph (3), the head of each agency shall—

''(A) identify sensitive and mission critical data stored by the agency consistent with the inventory required under section 3505(c);

''(B) assess access controls to the data described in subparagraph (A), the need for readily accessible storage of the data, and the need of individuals to access the data;

''(C) encrypt or otherwise render indecipherable to unauthorized users the data described in subparagraph (A) that is stored on or transiting agency information systems;

''(D) implement identity and access management systems to ensure the security of Federal information systems and protect agency records and data from fraud resulting from the misrepresentation of identity or identity theft, including—

''(i) a single sign-on trusted identity platform for individuals accessing each public website of the agency that requires, at a minimum, user authentication and verification services consistent with applicable law and guidance issued by the Director of the Office of Management and Budget who shall consider any applicable standard or guideline developed by the National Institute of Standards and Technology, which may be one developed by the Administrator of General Services in consultation with the Director of the Office of Management and Budget; and

''(ii) multi-factor authentication, consistent with guidance issued by the Director of the Office of Management and Budget who shall consider any applicable standard or guideline developed by the National Institute of Standards and Technology, for—

''(I) remote access to an information system; and

''(II) each user account with elevated privileges on an information system.

''(2) PROHIBITION.—

''(A) DEFINITION.—In this paragraph, the term 'internet of things' has the meaning given the term in section 3559B.

''(B) PROHIBITION.—Consistent with policies, standards, guidelines, and directives on information security under this subchapter, and except as provided under paragraph (3), the head of an agency may not procure, obtain, renew a contract to procure or obtain in any amount, notwithstanding section 1905 of title 41, or use an internet of things device if the Chief Information Officer of the agency determines during a review required under section 11319(b)(1)(C) of title 40 of a contract for an internet of things device that the use of the device prevents compliance with the standards and guidelines developed under section 4 of the IoT Cybersecurity Improvement Act (15 U.S.C. 278g–3b) with respect to the device.

''(3) EXCEPTIONS.—

''(A) IN GENERAL.—The requirements under subparagraphs (A), (B), (C), and (D)(ii) of paragraph (1) shall not apply to an information system for which the head of the agency, without delegation, has—

''(i) certified to the Director with particularity that—

''(I) operational requirements articulated in the certification and related to the information system would make it excessively burdensome to implement the cybersecurity requirement;

''(II) the cybersecurity requirement is not necessary to secure the information system or agency information stored on or transiting it; and

''(III) the agency has taken all necessary steps to secure the information system and agency information stored on or transiting it; and

''(ii) submitted the certification described in clause (i) to the appropriate congressional committees and the authorizing committees of the agency.

''(B) IDENTITY MANAGEMENT PLATFORM WAIVER.—The head of an agency shall be in compliance with the requirement under paragraph (1)(D)(i) with respect to implementing a single-sign on trusted identity system or platform other than one developed by the Administrator of General Services as described under paragraph (1)(D)(i) if the head of the agency—

''(i) without delegation—

''(I) has certified to the Director that the alternative system or platform, including a procured system or platform, conforms with applicable security and privacy requirements of this subchapter and guidance issued by the Director, at least 30 days before use of the system or platform; or

''(II) with regard to a system or platform in use as of the date of enactment of this subsection, the head of the agency provides such certification to the Director within 60 days after the date of enactment of this subsection;

''(ii) has received a written waiver from the Director in response to the request submitted under clause (i); and

''(iii) has submitted the certification described in clause (i) and the waiver described clause (ii) to the appropriate congressional committees and the authorizing committees of the agency.

''(4) DURATION OF CERTIFICATION.—

''(A) IN GENERAL.—A certification and corresponding exemption of an agency under paragraph (3) shall expire on the date that is 4 years after the date on which the head of the agency submits the certification under paragraph (3).

''(B) RENEWAL.—Upon the expiration of a certification of an agency under paragraph (3), the head of the agency may submit an additional certification in accordance with that paragraph.

''(5) PRESUMPTION OF ADEQUACY.—A FedRAMP authorization issued pursuant to chapter 36 of title 44 shall be presumed adequate to fulfill the requirements under subparagraphs (A) through (C) of paragraph (1) with respect to an agency authorization to operate cloud computing products and services if such presumption of adequacy does not alter or modify—

''(A) the responsibility of any agency to ensure compliance with this subchapter for

any cloud computing product or service used by the agency; or

''(B) the authority of the head of any agency to make a determination that there is a demonstrable need to include additional security controls beyond those included in a FedRAMP authorization package for a particular cloud computing product or service.

''(6) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to alter the authority of the Secretary, the Director, or the Director of the National Institute of Standards and Technology in implementing subchapter II of this title;

''(B) to affect the standards or process of the National Institute of Standards and Technology;

''(C) to affect the requirement under section 3553(a)(4);

''(D) to discourage continued improvements and advancements in the technology, standards, policies, and guidelines used to promote Federal information security; or

''(E) to affect the requirements under subchapter III.

''(g) EXCEPTION.—

''(1) NATIONAL SECURITY SYSTEM REQUIREMENTS.—The requirements under subsection (f)(1) shall not apply to—

''(A) a national security system; or

''(B) an information system described in paragraph (2) or (3) of section 3553(e)(2).

''(2) PROHIBITION.—The prohibition under subsection (f)(2) shall not apply to—

''(A) necessary in the interest of national security;

''(B) national security systems; or

''(C) a procured internet of things device described in subsection (f)(2)(B) that the Chief Information Officer of an agency determines is—

''(i) necessary for research purposes;

''(ii) necessary in the interest of national security; or

''(iii) secured using alternative and effective methods appropriate to the function of the internet of things device.''.

(2) REPORT ON EXEMPTIONS.—Section 3554(c)(1) of title 44, United States Code, as amended by this section, is further amended—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(E) with respect to any exemption from the requirements of subsection (f)(3) that is effective on the date of submission of the report, includes the number of information systems that have received an exemption from those requirements.''.

(3) GUIDANCE FOR IDENTITY MANAGEMENT SYSTEMS USED BY AGENCIES.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the Director of the National Institute of Standards and Technology, shall issue, and routinely update thereafter, guidance for agencies to implement identity management systems and a single sign-on trusted identity platform as required under section 3554(f)(1)(D)(i) of title 44, United States Code, as amended by this section, which shall at a minimum, include the following:

(A) Requirements for agencies to routinely certify that such systems are in compliance with this guidance.

(B) Requirements for agencies to routinely verify and certify that information stored on or transiting through a commercially available product (as defined in section 103 of title 41, United States Code) or commercial service (as defined in section 103a of title 41, United States Code) used to fulfil such requirements is appropriately secured in conformity with subchapter II of chapter 35 of title 44, United States Code.

(C) Address national security concerns and requirements to ensure the protection of sensitive personal records and biometric data of United States persons from malign foreign ownership, control, or influence and fraud actors.

(D) Requirements or guidelines to comply with section 3 of the 21st Century Idea Act (44 U.S.C. 3501 note).

(E) Requirements to prevent discrimination in violation of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(F) A description of the information necessary to be submitted under the exception described in section 3554(f)(3)(B) of title 44, United States Code, as amended by this section.

(4) GAO EVALUATION OF TECHNICAL CAPABILITY OF IDENTITY MANAGEMENT SYSTEMS AND PLATFORMS.—Not less frequently than every 3 years for the next 6 years after the date of the enactment of this section, the Comptroller General shall submit to the appropriate congressional committees a report on whether the single sign-on trusted identity systems and platforms used by agencies or the one developed by the General Services Administration under section 3554(f)(D)(i) of title 44, United States Code, as amended by this section, adhere to the information security requirements of chapter 35 of title 44, United States Code, guidance issued under subparagraph (C), and relevant identity management technical standards promulgated by the National Institute of Standards and Technology, as appropriate, including section 504 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7464).

(5) DURATION OF CERTIFICATION EFFECTIVE DATE.—Paragraph (3) of section 3554(f) of title 44, United States Code, as added by this section, shall take effect on the date that is 1 year after the date of enactment of this section.

(6) FEDERAL CYBERSECURITY ENHANCEMENT ACT OF 2015 UPDATE.—Section 222(3)(B) of the Federal Cybersecurity Enhancement Act of 2015 (6 U.S.C. 1521(3)(B)) is amended by inserting ''and the Committee on Oversight and Accountability'' before ''of the House of Representatives''.

(j) FEDERAL CHIEF INFORMATION SECURITY OFFICER.—

(1) AMENDMENT.—Chapter 36 of title 44, United States Code, is amended by adding at the end the following:

''§ 3617. Federal Chief Information Security Officer

''(a) ESTABLISHMENT.—There is established a Federal Chief Information Security Officer, who shall serve in—

''(1) the Office of the Federal Chief Information Officer of the Office of Management and Budget; and

''(2) the Office of the National Cyber Director.

''(b) APPOINTMENT.—The Federal Chief Information Security Officer shall be appointed by the President.

''(c) OMB DUTIES.—The Federal Chief Information Security Officer shall report to the Federal Chief Information Officer and assist the Federal Chief Information Officer in carrying out—

''(1) every function under this chapter;

''(2) every function assigned to the Director under title II of the E–Government Act of 2002 (44 U.S.C. 3501 note; Public Law 107–347);

''(3) other electronic government initiatives consistent with other statutes; and

''(4) other Federal cybersecurity initiatives determined by the Federal Chief Information Officer.

''(d) ADDITIONAL DUTIES.—The Federal Chief Information Security Officer shall—

''(1) support the Federal Chief Information Officer in overseeing and implementing Federal cybersecurity under the E–Government Act of 2002 (Public Law 107–347; 116 Stat. 2899) and other relevant statutes in a manner consistent with law; and

''(2) perform every function assigned to the Director under sections 1321 through 1328 of title 41, United States Code.

''(e) COORDINATION WITH ONCD.—The Federal Chief Information Security Officer shall support initiatives determined by the Federal Chief Information Officer necessary to coordinate with the Office of the National Cyber Director.''.

(2) NATIONAL CYBER DIRECTOR DUTIES.—Section 1752 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (6 U.S.C. 1500) is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following:

''(g) SENIOR FEDERAL CYBERSECURITY OFFICER.—The Federal Chief Information Security Officer appointed by the President under section 3617 of title 44, United States Code, shall be a senior official within the Office and carry out duties applicable to the protection of information technology (as defined in section 11101 of title 40, United States Code), including initiatives determined by the Director necessary to coordinate with the Office of the Federal Chief Information Officer.''.

(3) TREATMENT OF INCUMBENT.—The individual serving as the Federal Chief Information Security Officer appointed by the President as of the date of enactment of this Act may serve as the Federal Chief Information Security Officer under section 3617 of title 44, United States Code, as added by this section, beginning on the date of enactment of this section, without need for a further or additional appointment under such section.

(4) CLERICAL AMENDMENT.—The table of sections for chapter 36 of title 44, United States Code, is amended by adding at the end the following:

''3617. Federal Chief Information Security Officer.''.

(k) RENAMING OFFICE OF THE FEDERAL CHIEF INFORMATION OFFICER.—

(1) DEFINITIONS.—

(A) IN GENERAL.—Section 3601 of title 44, United States Code, is amended—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2) through (8) as paragraphs (1) through (7), respectively.

(B) CONFORMING AMENDMENTS.—

(i) TITLE 10.—Section 2222(i)(6) of title 10, United States Code, is amended by striking ''section 3601(4)'' and inserting ''section 3601''.

(ii) NATIONAL SECURITY ACT OF 1947.—Section 506D(k)(1) of the National Security Act of 1947 (50 U.S.C. 3100(k)(1)) is amended by striking ''section 3601(4)'' and inserting ''section 3601''.

(2) OFFICE OF ELECTRONIC GOVERNMENT.—Section 3602 of title 44, United States Code, is amended—

(A) in the heading, by striking ''**Office of Electronic Government**'' and inserting ''**Office of the Federal Chief Information Officer**'';

(B) in subsection (a), by striking ''Office of Electronic Government'' and inserting ''Office of the Federal Chief Information Officer'';

(C) in subsection (b), by striking ''an Administrator'' and inserting ''a Federal Chief Information Officer'';

(D) in subsection (c), in the matter preceding paragraph (1), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(E) in subsection (d), in the matter preceding paragraph (1), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(F) in subsection (e), in the matter preceding paragraph (1), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(G) in subsection (f)—

(i) in the matter preceding paragraph (1), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer'';

(ii) in paragraph (16), by striking ''the Office of Electronic Government'' and inserting ''the Office of the Federal Chief Information Officer''; and

(iii) in paragraph (17), by striking ''E–Government'' and inserting ''annual''; and

(H) in subsection (g), by striking ''the Office of Electronic Government'' and inserting ''the Office of the Federal Chief Information Officer''.

(3) CHIEF INFORMATION OFFICERS COUNCIL.—Section 3603 of title 44, United States Code, is amended—

(A) in subsection (b)(2), by striking ''The Administrator of the Office of Electronic Government'' and inserting ''The Federal Chief Information Officer'';

(B) in subsection (c)(1), by striking ''The Administrator of the Office of Electronic Government'' and inserting ''The Federal Chief Information Officer''; and

(C) in subsection (f)—

(i) in paragraph (3), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''; and

(ii) in paragraph (5), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(4) E–GOVERNMENT FUND.—Section 3604 of title 44, United States Code, is amended—

(A) in subsection (a)(2), by striking ''the Administrator of the Office of Electronic Government'' and inserting ''the Federal Chief Information Officer'';

(B) in subsection (b), by striking ''Administrator'' each place it appears and inserting ''Federal Chief Information Officer''; and

(C) in subsection (c), in the matter preceding paragraph (1), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(5) PROGRAM TO ENCOURAGE INNOVATIVE SOLUTIONS TO ENHANCE ELECTRONIC GOVERNMENT SERVICES AND PROCESSES.—Section 3605 of title 44, United States Code, is amended—

(A) in subsection (a), by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer'';

(B) in subsection (b), by striking '', the Administrator,'' and inserting '', the Federal Chief Information Officer,''; and

(C) in subsection (c)(1)—

(i) by striking ''The Administrator'' and inserting ''The Federal Chief Information Officer''; and

(ii) by striking ''proposals submitted to the Administrator'' and inserting ''proposals submitted to the Federal Chief Information Officer'';

(D) in subsection (c)(2)(B), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''; and

(E) in subsection (c)(4), by striking ''the Administrator'' and inserting ''the Federal Chief Information Officer''.

(6) E–GOVERNMENT REPORT.—Section 3606 of title 44, United States Code, is amended—

(A) in the section heading by striking ''**E–Government**'' and inserting ''**Annual**'';

(B) in subsection (a), by striking ''E–Government'' and inserting ''annual''; and

(C) in subsection (b)(1), by striking ''202(f)'' and inserting ''202(g)''.

(7) TREATMENT OF INCUMBENT.—The individual serving as the Administrator of the Office of Electronic Government under section 3602 of title 44, United States Code, as of the date of enactment of this Act, may continue to serve as the Federal Chief Information Officer commencing as of that date, without need for a further or additional appointment under such section.

(8) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 36 of title 44, United States Code, is amended—

(A) by striking the item relating to section 3602 and inserting the following:

''3602. Office of the Federal Chief Information Officer.'';

and

(B) in the item relating to section 3606, by striking ''E–Government'' and inserting ''Annual''.

(9) REFERENCES.—

(A) ADMINISTRATOR.—Any reference to the Administrator of the Office of Electronic Government in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Federal Chief Information Officer.

(B) OFFICE OF ELECTRONIC GOVERNMENT.—Any reference to the Office of Electronic Government in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Office of the Federal Chief Information Officer.

(l) RULES OF CONSTRUCTION.—

(1) AGENCY ACTIONS.—Nothing in this section, or an amendment made by this section, shall be construed to authorize the head of an agency to take an action that is not authorized by this section, an amendment made by this section, or existing law.

(2) PROTECTION OF RIGHTS.—Nothing in this section, or an amendment made by this section, shall be construed to permit the violation of the rights of any individual protected by the Constitution of the United States, including through censorship of speech protected by the Constitution of the United States or unauthorized surveillance.

(3) PROTECTION OF PRIVACY.—Nothing in this section, or an amendment made by this section, shall be construed to—

(A) impinge on the privacy rights of individuals; or

(B) allow the unauthorized access, sharing, or use of personal data.

(m) DEFINITIONS.—In t his section, unless otherwise specified:

(1) The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(2) The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Accountability of the House of Representatives; and

(C) the Committee on Homeland Security of the House of Representatives.

(3) The term ''awardee'' has the meaning given the term in section 3591 of title 44, United States Code, as added by this section.

(4) The term ''contractor'' has the meaning given the term in section 3591 of title 44, United States Code, as added by this section.

(5) The term ''Director'' means the Director of the Office of Management and Budget.

(6) The term ''Federal information system'' has the meaning given the term in section 3591 of title 44, United States Code, as added by this section.

(7) The term ''incident'' has the meaning given the term in section 3552(b) of title 44, United States Code.

(8) The term ''national security system'' has the meaning given the term in section 3552(b) of title 44, United States Code.

(9) The term ''penetration test'' has the meaning given the term in section 3552(b) of title 44, United States Code, as amended by this section.

(10) The term ''threat hunting'' means proactively and iteratively searching systems for threats and vulnerabilities, including threats or vulnerabilities that may evade detection by automated threat detection systems.

(11) The term ''zero trust architecture'' has the meaning given the term in Special Publication 800–207 of the National Institute of Standards and Technology, or any successor document.

SEC. 1096. RURAL HOSPITAL CYBERSECURITY.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Homeland Security of the House of Representatives.

(3) DIRECTOR.—The term ''Director'' means the Director of the Cybersecurity and Infrastructure Security Agency.

(4) GEOGRAPHIC DIVISION.—The term ''geographic division'' means a geographic division that is among the 9 geographic divisions determined by the Bureau of the Census.

(5) RURAL HOSPITAL.—The term ''rural hospital'' means a healthcare facility that—

(A) is located in a non-urbanized area, as determined by the Bureau of the Census; and

(B) provides inpatient and outpatient healthcare services, including primary care, emergency care, and diagnostic services.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(b) RURAL HOSPITAL CYBERSECURITY WORKFORCE DEVELOPMENT STRATEGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Director, shall develop and transmit to the appropriate committees of Congress a comprehensive rural hospital cybersecurity workforce development strategy to address the growing need for skilled cybersecurity professionals in rural hospitals.

(2) CONSULTATION.—

(A) AGENCIES.—In carrying out paragraph (1), the Secretary and Director may consult with the Secretary of Health and Human Services, the Secretary of Education, the Secretary of Labor, and any other appropriate head of an agency.

(B) PROVIDERS.—In carrying out paragraph (1), the Secretary shall consult with not less than 2 representatives of rural healthcare providers from each geographic division in the United States.

(3) CONSIDERATIONS.—The rural hospital cybersecurity workforce development strategy developed under paragraph (1) shall, at a minimum, consider the following components:

(A) Partnerships between rural hospitals, non-rural healthcare systems, educational institutions, private sector entities, and nonprofit organizations to develop, promote, and expand the rural hospital cybersecurity workforce, including through education and training programs tailored to the needs of rural hospitals.

(B) The development of a cybersecurity curriculum and teaching resources that focus on teaching technical skills and abilities related to cybersecurity in rural hospitals for use in community colleges, vocational schools, and other educational institutions located in rural areas.

(C) Identification of—

(i) cybersecurity workforce challenges that are specific to rural hospitals, as well as

challenges that are relative to hospitals generally; and

(ii) common practices to mitigate both sets of challenges described in clause (i).

(D) Recommendations for legislation, rulemaking, or guidance to implement the components of the rural hospital cybersecurity workforce development strategy.

(4) ANNUAL BRIEFING.—Not later than 60 days after the date on which the first full fiscal year ends following the date on which the Secretary transmits the rural hospital cybersecurity workforce development strategy developed under paragraph (1), and not later than 60 days after the date on which each fiscal year thereafter ends, the Secretary shall provide a briefing to the appropriate committees of Congress that includes, at a minimum, information relating to—

(A) updates to the rural hospital cybersecurity workforce development strategy, as appropriate;

(B) any programs or initiatives established pursuant to the rural hospital cybersecurity workforce development strategy, as well as the number of individuals trained or educated through such programs or initiatives;

(C) additional recommendations for legislation, rulemaking, or guidance to implement the components of the rural hospital cybersecurity workforce development strategy; and

(D) the effectiveness of the rural hospital cybersecurity workforce development strategy in addressing the need for skilled cybersecurity professionals in rural hospitals.

(c) INSTRUCTIONAL MATERIALS FOR RURAL HOSPITALS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director shall make available instructional materials for rural hospitals that can be used to train staff on fundamental cybersecurity efforts.

(2) DUTIES.—In carrying out paragraph (1), the Director shall—

(A) consult with appropriate heads of agencies, experts in cybersecurity education, and rural healthcare experts;

(B) identify existing cybersecurity instructional materials that can be adapted for use in rural hospitals and create new materials as needed; and

(C) conduct an awareness campaign to promote the materials available to rural hospitals developed under paragraph (1).

(d) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

SA 2122. Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1239. MODIFICATION OF REQUIREMENTS FOR TRANSFERS OF UNITED STATES DEFENSE ARTICLES AND DEFENSE SERVICES AMONG BALTIC STATES.

(a) IN GENERAL.—Any defense article or defense service provided by the United States to a Baltic state may be transferred by such Baltic state to any other Baltic state without the approval of the United States as may be required under any other provision of law.

(b) COMMON COALITION KEY.—The Secretary of Defense shall establish among the Baltic states a common coalition key within the Baltic states for the purpose of sharing ammunition for High Mobility Artillery Rocket Systems (HIMARS) among the Baltic states for training and operational purposes.

(c) DEFINITIONS.—In this section:

(1) BALTIC STATE.—The term ''Baltic state'' means the following:

(A) Estonia.

(B) Lithuania.

(C) Latvia.

(2) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms ''defense article'' and ''defense service'' have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

SA 2123. Mr. SCHMITT (for himself and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. EXTENSIONS AND MODIFICATIONS RELATING TO HUMAN OCCUPANT SAFETY.

(a) LICENSE APPLICATIONS AND REQUIREMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES.— Section 50905 of title 51, United States Code, is amended—

(1) in subsection (b), by adding at the end the following:

''(7) The Secretary shall not issue any regulation or other binding guidance regarding human occupant safety until the date on which all of the following have occurred:

''(A) The Secretary has approved or denied all applications submitted under this section during the 2 calendar years ending before the date of the enactment of this paragraph within the timelines set forth in this section, including any period during the processing of such applications that is tolled.

''(B) The date specified in subsection (c)(9) has passed.''; and

(2) in subsection (c)—

(A) by amending paragraph (3) to read as follows:

''(3) COLLABORATION ON DEVELOPMENT OF CONSENSUS STANDARDS.—

''(A) PARTICIPATION OF SECRETARY.—

''(i) IN GENERAL.—The Secretary, in collaboration with the commercial human space flight industry, shall meaningfully participate in the development of voluntary industry consensus standards that facilitate the safety of crew, government astronauts, and space flight participants.

''(ii) TECHNICAL EXPERTISE AND FEEDBACK.—

''(I) IN GENERAL.—The participation of the Secretary under clause (i) shall include the contribution of technical expertise and feedback during the standards development process.

''(II) LIMITATION.—The technical expertise and feedback referred to in subclause (I) shall be limited to such expertise and feedback provided by technical experts from the National Aeronautics and Space Administration, the Federal Aviation Administration, and the commercial human space flight industry who have experience in reviewing human space flight missions and implementing regulations.

''(B) PROMOTION OF STANDARDS.—

''(i) IN GENERAL.—The Secretary shall promote the adoption of, but shall not require the commercial space sector to implement, the standards developed through the collaboration under subparagraph (A).

''(ii) ENGAGEMENT WITH COMMERCIAL SPACE SECTOR.—In promoting the adoption of such standards, the Secretary shall engage with the commercial space sector to collect feedback on the practical application of such standards.'';

(B) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking ''December 31, 2016, and every 30 months thereafter until December 31, 2021,'' and inserting ''90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, and biannually thereafter until the date that is 5 years after such date of enactment,'';

(II) by striking ''a report'' and inserting '', and publish in the Federal Register, a report''; and

(III) by striking ''that promote best practices'' and inserting ''to facilitate the safety of crew, government astronauts, and space flight participants and''; and

(ii) in subparagraph (B)—

(I) by amending clause (v) to read as follows:

''(v) any lessons learned associated with—

''(I) the development, potential application, and acceptance of voluntary industry consensus standards; and

''(II) commercial space launch operations; and'';

(II) by redesignating clause (vi) as clause (xi);

(III) by inserting after clause (v) the following:

''(vi) any lessons learned with respect to the need for new standards applicable to emerging human space flight technologies and approaches for future standards development to ensure safety and innovation;

''(vii) recommendations on areas in which updates to existing industry consensus standards may be appropriate;

''(viii) a description of the participation of the Secretary in the development of the voluntary industry consensus standards under paragraph (3)(A);

''(ix) a description of the efforts of the Secretary to promote the adoption of such standards under paragraph (3)(B)(i);

''(x) a description of the activities conducted by the Secretary to engage with the commercial space sector to collect feedback on the practical application of such standards under paragraph (3)(B)(ii); and''; and

(IV) in clause (xi), as redesignated, by striking ''standards that promote'' and all that follows through the period at the end and inserting ''standards—

''(I) to facilitate the safety of crew, government astronauts, and space flight participants; and

''(II) to improve industry safety.'';

(C) in paragraph (6)—

(i) by striking ''Not later than 270 days after the date of enactment of the SPACE Act of 2015,'' and inserting the following:

''(A) IN GENERAL.—Not later than 270 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025,''; and

(ii) by adding at the end the following:

''(B) CONTENTS.—The report required by subparagraph (A) shall include the following:

''(i) An assessment of the experience of the Office of Commercial Space Transportation in evaluating novel public safety frameworks.

''(ii) An assessment as to whether the timeframe in which the Office of Commercial Space Transportation reviews, processes, and completes applications is consistent with the pace of development of the commercial human space flight industry.

''(iii) An assessment of the continued implementation, review, and improvement of

part 450 of title 14, Code of Federal Regulations.

''(iv) An identification of any additional resources necessary for the Office of Commercial Space Transportation to fulfill its responsibilities.'';

(D) in paragraph (8), in the first sentence of the matter preceding subparagraph (A), by striking ''December 31, 2022'' and inserting ''December 31, 2030'';

(E) by amending paragraph (9) to read as follows:

''(9) LEARNING PERIOD.—

''(A) IN GENERAL.—Not earlier than 5 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, the Secretary may propose regulations under this subsection without regard to subparagraphs (C) and (D) of paragraph (2).

''(B) AEROSPACE RULEMAKING COMMITTEE FOR COMMERCIAL HUMAN OCCUPANT SAFETY.—Not earlier than 3 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, and before commencing the development of proposed regulations under this paragraph, the Secretary of Transportation shall, consistent with section 106(p)(5) of title 49, United States Code, establish an aerospace rulemaking committee, to be known as the 'Aerospace Rulemaking Committee for Commercial Human Occupant Safety' (referred to in this paragraph as 'SpARC').

''(C) PURPOSES.—The purposes of SpARC shall be—

''(i) to gather input from the commercial space flight industry on the development of proposed regulations under this paragraph;

''(ii) to survey and assess existing voluntary performance-based industry consensus standards for commercial human space flight;

''(iii) to determine which published standards, or subcomponents of published standards, may contribute to commercial human space flight regulations;

''(iv) to provide a forum for Federal Aviation Administration technical experts with regulatory implementation experience to meaningfully engage with industry with respect to the regulation of commercial human space flight; and

''(v) to make recommendations with respect to the scope and substance of commercial human space flight regulations in a report to the Secretary.

''(D) COMPOSITION.—

''(i) IN GENERAL.—SpARC shall be composed only of representatives of the commercial human space flight industry with relevant expertise, including—

''(I) current and prospective commercial space launch license and permit holders; and

''(II) any other individual or entity involved in commercial human space flight services.

''(ii) CO-CHAIRPERSONS.—The Secretary of Transportation shall appoint as co-chairpersons of SpARC—

''(I) an official of the Federal Aviation Administration; and

''(II) a representative of the commercial human space flight industry described in clause (i).

''(iii) OBSERVERS.—The co-chairpersons of SpARC may invite to serve as a SpARC observer any individual with relevant expertise who is an employee of the Department of Commerce, the Department of Defense, the Department of Transportation, the National Aeronautics and Space Administration, or any other Federal agency.

''(E) CONSIDERATIONS.—In developing recommendations under this paragraph, SpARC shall take into consideration—

''(i) the evolving standards of the commercial space flight industry as identified in the reports published under paragraphs (5), (6), and (7); and

''(ii) the input of the commercial space flight industry.

''(F) REPORTING REQUIREMENTS.—

''(i) BRIEFING.—Not later than 90 days after the date on which SpARC is established under subparagraph (B), the Secretary of Transportation shall provide a briefing to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives on the composition, charter, work plan, and as applicable, work progress of SpARC.

''(ii) BIANNUAL REPORT.—

''(I) IN GENERAL.—Not later than 1 year after the date on which the initial briefing required by clause (i) is conducted, and biannually thereafter until the date on which SpARC terminates, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Commercial Space Transportation Advisory Committee of the Federal Aviation Administration a report on the efforts of the Secretary and SpARC with respect to the development of voluntary consensus human space flight standards.

''(II) ELEMENTS.—Each report required by subclause (I) shall include the following:

''(aa) A list of voluntary consensus human space flight standards that have been adopted or are in development as of the date of the report.

''(bb) A prioritized list of any additional standard the development of which the Secretary of Transportation considers necessary in promoting the safety of commercial human space flight.

''(cc) An estimate of the technical, personnel, and capital resources required for the Federal Government to efficiently and effectively develop and implement commercial human space flight regulations.

''(dd) A description of the contribution that technical experts of the Federal Government with regulatory implementation experience are making to the development of voluntary consensus human space flight standards and to the efforts of SpARC.

''(ee) An assessment of the efforts and progress of SpARC.

''(iii) FINAL REPORT.—Not later than 90 days after the date on which the report referred to in subparagraph (C)(v) is submitted by SpARC, the Secretary of Transportation shall submit to Congress a report that includes the following:

''(I) The report submitted by SpARC.

''(II) The response of the Secretary of Transportation to such report, including substantive reasoning for any disagreement with the recommendations of SpARC.

''(III) A plan for drafting rules, including the extent to which such rules will or will not reflect the input of SpARC.

''(IV) A plan for meaningfully engaging industry during the rulemaking process through SpARC, the Commercial Space Transportation Advisory Committee, and the conduct of public forums.'';

(F) by redesignating paragraph (10) as paragraph (11); and

(G) by inserting after paragraph (9) the following:

''(10) OTHER AGENCIES.—With respect to a commercial human space flight operator that meets safety requirements, the Secretary shall accept an application described in subsection (a) from the operator that has, using the same or substantially similar hardware and operations as the hardware and operations proposed to be used under the application—

''(A) previously launched government astronauts or space flight participants employed by a Federal agency on a launch vehicle or launch system under a contract with any other Federal agency; or

''(B)(i) entered into a contract with any other Federal agency to launch government astronauts or space flight participants employed by a Federal agency on a launch vehicle or launch system; and

''(ii) has satisfactorily demonstrated compliance with the safety requirements or qualifications of such other Federal agency.''.

(b) EXTENSION OF LIABILITY INSURANCE AND FINANCIAL RESPONSIBILITY REQUIREMENTS.—Section 50914 of title 51, United States Code, is amended—

(1) in subsection (a)(5), by striking ''September 30, 2025'' and inserting ''September 30, 2033''; and

(2) in subsection (b)(1)(C), by striking ''September 30, 2025'' and inserting ''September 30, 2033''.

(c) EXTENSION OF PAYMENT OF CLAIMS EXCEEDING LIABILITY INSURANCE AND FINANCIAL RESPONSIBILITY REQUIREMENTS.—Section 50915 of title 51, United States Code, is amended—

(1) in subsection (a)(3)(B), by striking ''September 30, 2025'' and inserting ''September 30, 2033''; and

(2) in subsection (f), in the first sentence, by striking ''September 30, 2025'' and inserting ''September 30, 2033''.

SA 2124. Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. BALTIMORE BRIDGE RELIEF.

(a) FINDING.—Congress finds that, in accordance with section 668.105(e) of title 23, Code of Federal Regulations (or a successor regulation), any compensation for damages or insurance proceeds, including interest, recovered by a State, a political subdivision of a State, or a toll authority for repair, including reconstruction, of the bridge described in subsection (b) in response to the damage described in that subsection should be used on receipt to reduce liability on the repair, including reconstruction, of that bridge from the emergency fund authorized under section 125 of title 23, United States Code.

(b) FEDERAL SHARE FOR CERTAIN EMERGENCY RELIEF PROJECTS.—Notwithstanding subsection (e) of section 120 of title 23, United States Code, the Federal share for emergency relief funds made available under section 125 of that title to respond to damage caused by the cargo ship Dali to the Francis Scott Key Bridge located in Baltimore City and Baltimore and Anne Arundel Counties, Maryland, including reconstruction of that bridge and its approaches, shall be 100 percent.

(c) EFFECTIVE DATE.—This section shall take effect as if enacted on March 26, 2024.

SA 2125. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ELIMINATION OF INCREASED PENALTIES FOR COCAINE OFFENSES WHERE THE COCAINE INVOLVED IS COCAINE BASE.

(a) CONTROLLED SUBSTANCES ACT.—The following provisions of the Controlled Substances Act (21 U.S.C. 801 et seq.) are repealed:

(1) Clause (iii) of section 401(b)(1)(A) (21 U.S.C. 841(b)(1)(A)).

(2) Clause (iii) of section 401(b)(1)(B) (21 U.S.C. 841(b)(1)(B)).

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—The following provisions of the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) are repealed:

(1) Subparagraph (C) of section 1010(b)(1) (21 U.S.C. 960(b)(1)).

(2) Subparagraph (C) of section 1010(b)(2) (21 U.S.C. 960(b)(2)).

(c) APPLICABILITY TO PENDING AND PAST CASES.—

(1) PENDING CASES.—This section, and the amendments made by this section, shall apply to any sentence imposed after the date of enactment of this Act, regardless of when the offense was committed.

(2) PAST CASES.—In the case of a defendant who, before the date of enactment of this Act, was convicted or sentenced for a Federal offense involving cocaine base, the sentencing court may, on motion of the defendant, the Bureau of Prisons, the attorney for the Government, or on its own motion, impose a reduced sentence after considering the factors set forth in section 3553(a) of title 18, United States Code.

SA 2126. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. COMPLIANCE PROCEDURES FOR PROHIBITION ON CRIMINAL HISTORY INQUIRIES BY FEDERAL CONTRACTORS PRIOR TO CONDITIONAL OFFER.

(a) CIVILIAN AGENCY CONTRACTS.—Section 4714 of title 41, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b) COMPLIANCE.—

''(1) PROCEDURES FOR SUBMISSION OF COMPLAINT.—The Secretary of Labor shall establish, and make available to the public, procedures under which an applicant for a position with a Federal contractor may submit to the Secretary a complaint, or any other information, relating to compliance by the contractor with subsection (a)(1)(B).

''(2) INVESTIGATION OF COMPLIANCE.—In addition to the authority to investigate compliance by a contractor with subsection (a)(1)(B) pursuant to a complaint submitted under paragraph (1) of this subsection, the Secretary of Labor may investigate compliance with subsection (a)(1)(B) in conducting a compliance evaluation under section 60–1.20, 60–300.60, or 60–741.60 of title 41, Code of Federal Regulations (or any successor regulation). The Secretary may publish such procedures by regulation, guidance, or by means which the Secretary deems appropriate.''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''head of an executive agency'' and inserting ''Secretary of Labor'';

(ii) by inserting '', based upon the results of a complaint investigation or compliance evaluation conducted by the Secretary of Labor under section 60–1.20, 60–300.60, or 60–741.60 of title 41, Code of Federal Regulations (or any successor regulation)'' after ''determines'';

(iii) by striking ''such head'' and inserting ''the Secretary of Labor''; and

(iv) in subparagraph (C), by striking ''warning'' and inserting ''notice''; and

(B) in paragraph (2)—

(i) by striking ''head of an executive agency'' and inserting ''Secretary of Labor'';

(ii) by inserting '', based upon the results of a complaint investigation or compliance evaluation conducted by the Secretary of Labor under section 60–1.20, 60–300.60, or 60–741.60 of title 41, Code of Federal Regulations (or any successor regulation),'' after ''determines'';

(iii) by striking ''such head'' and inserting ''the Secretary of Labor''; and

(iv) by inserting ''as may be necessary'' after ''Federal agencies''; and

(v) by amending subparagraph (C) to read as follows:

''(C) taking any of the actions described under section 202(7) of Executive Order 11246 (related to equal employment opportunity) and section 60–1.27 of title 41, Code of Federal Regulations (or any successor regulation).''.

(b) DEFENSE CONTRACTS.—Section 4657 of title 10, United States Code, is amended—

(1) by amending subsection (b) to read as follows:

''(b) COMPLIANCE.—

''(1) PROCEDURES FOR SUBMISSION OF COMPLAINT.—The Secretary of Labor shall establish, and make available to the public, procedures under which an applicant for a position with a Federal contractor may submit to the Secretary of Labor a complaint, or any other information, relating to compliance by the contractor with subsection (a)(1)(B).

''(2) INVESTIGATION OF COMPLIANCE.—In addition to the authority to investigate compliance by a contractor with subsection (a)(1)(B) pursuant to a complaint submitted under paragraph (1) of this subsection, the Secretary of Labor may investigate compliance with subsection (a)(1)(B) in conducting a compliance evaluation under section 60–1.20, 60–300.60, or 60–741.60 of title 41, Code of Federal Regulations (or any successor regulation). The Secretary may publish such procedures by regulation, guidance, or by means which the Secretary deems appropriate.''; and

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Defense'' and inserting ''Labor'';

(ii) by inserting ''of Labor'' before ''shall''; and

(iii) by inserting '', based upon the results of a complaint investigation or compliance evaluation conducted by the Secretary of Labor under section 60–1.20, 60–300.60, or 60–741.60 of title 41, Code of Federal Regulations (or any successor regulation),'' after ''determines''; and

(iv) in subparagraph (C), by striking ''warning'' and inserting ''notice''; and

(B) in paragraph (2)—

(i) by striking ''Secretary of Defense'' and inserting ''Secretary of Labor'';

(ii) by inserting ''as may be necessary'' after ''Federal agencies''; and

(iii) by amending subparagraph (C) to read as follows:

''(C) taking any of the actions described under section 202(7) of Executive Order 11246 (related to equal employment opportunity) and section 60–1.27 of title 41, Code of Federal Regulations (or any successor regulation).''.

(c) APPLICATION.—This section, and the amendments made by this section, shall apply with respect to contracts awarded on or after the date that is 16 months after the date of the enactment of this Act.

SA 2127. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. RESEARCH ADVANCING TO MARKET PRODUCTION FOR INNOVATORS ACT.

(a) IMPROVEMENTS TO COMMERCIALIZATION SELECTION.—

(1) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(A) in subsection (g)—

(i) in paragraph (4)(B)(i), by striking ''1 year'' and inserting ''180 days'';

(ii) in paragraph (16), by striking ''and'' at the end;

(iii) in paragraph (17), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(18) with respect to peer review carried out under the SBIR program, to the extent practicable, include in the peer review—

''(A) the likelihood of commercialization in addition to scientific and technical merit and feasibility; and

''(B) not less than 1 reviewer with commercialization expertise who is capable of assessing the likelihood of commercialization.'';

(B) in subsection (o)—

(i) in paragraph (4)(B)(i), by striking ''1 year'' and inserting ''180 days'';

(ii) in paragraph (20), by striking ''and'' at the end;

(iii) in paragraph (21), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(22) with respect to peer review carried out under the STTR program, to the extent practicable, include in the peer review—

''(A) the likelihood of commercialization in addition to scientific and technical merit and feasibility; and

''(B) not less than 1 reviewer with commercialization expertise who is capable of assessing the likelihood of commercialization.'';

(C) in subsection (cc)—

(i) by striking ''During fiscal years 2012 through 2025, the National Institutes of Health, the Department of Defense, and the Department of Education'' and inserting the following:

''(1) IN GENERAL.—During fiscal years 2024 and 2025, each Federal agency with an SBIR or STTR program''; and

(ii) by adding at the end the following:

''(2) LIMITATION.—

''(A) IN GENERAL.—The total value of awards provided by a Federal agency under this subsection in a fiscal year shall be—

''(i) except as provided in clause (ii) and subparagraph (B), not more than 10 percent

of the total funds allocated to the SBIR and STTR programs of the Federal agency during that fiscal year; and

''(ii) with respect to the National Institutes of Health, not more than 15 percent of the total funds allocated to the SBIR and STTR programs of the National Institutes of Health during that fiscal year.

''(B) EXCEPTION.—The limitation under subparagraph (A)(i) shall not apply with respect to the Department of Defense.'';

(D) in subsection (hh)(2)(A)(i), by striking ''simplified and standardized procedures and model contracts'' and inserting ''a simplified and standardized application process and requirements, procedures, and model contracts''; and

(E) by adding at the end the following:

''(yy) TECHNOLOGY COMMERCIALIZATION OFFICIAL.—Each Federal agency participating in the SBIR or STTR program shall—

''(1) designate an existing official within the Federal agency as the Technology Commercialization Official of the Federal agency, who shall—

''(A) have sufficient commercialization experience;

''(B) provide guidance to SBIR and STTR program awardees in commercializing and transitioning technologies;

''(C) identify and advocate for SBIR and STTR program technologies with sufficient technology and commercialization readiness to advance to Phase III awards or other non-SBIR or STTR program contracts;

''(D) coordinate with the Administration and Technology Commercialization Officials of other Federal agencies to identify additional markets and commercialization pathways for promising SBIR and STTR program technologies;

''(E) submit to the Administration an annual report on the number of technologies from the SBIR or STTR program that have advanced commercialization activities, including information required in the commercialization impact assessment under subsection (aaa);

''(F) submit to the Administration an annual report on actions taken by the Federal agency, and the results of those actions, to simplify, standardize, and expedite the application process and requirements, procedures, and contracts as required under subsection (hh); and

''(G) carry out such other duties as the Federal agency determines necessary; or

''(2) identify an official carrying out substantially similar responsibilities as those described in paragraph (1).''.

(2) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Administrator of the Small Business Administration shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report summarizing the metrics relating to and an evaluation of the authority provided under section 9(cc) of the Small Business Act (15 U.S.C. 638(cc)), as amended by paragraph (1), which shall include the size and location of the small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) receiving awards under the SBIR or STTR program.

(b) IMPROVEMENTS TO TECHNICAL AND BUSINESS ASSISTANCE; COMMERCIALIZATION IMPACT ASSESSMENT; PATENT ASSISTANCE.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by subsection (a), is amended—

(1) in subsection (q)—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by striking ''may enter into an agreement with 1 or more vendors selected under paragraph (2)(A) to provide small business concerns engaged in SBIR or STTR projects with technical and business assistance services'' and inserting ''shall authorize recipients of awards under the SBIR or STTR program to select, if desired, technical and business assistance provided under subparagraph (A), (B), or (C) of paragraph (2) with respect to SBIR or STTR projects'';

(ii) by inserting ''cybersecurity assistance,'' after ''intellectual property protections,''; and

(iii) by striking ''such concerns'' and inserting ''such recipients'';

(B) in paragraph (2), by adding at the end the following:

''(C) STAFF.—A small business concern may, by contract or otherwise, use funding provided under this section to hire new staff, augment staff, or direct staff to conduct or participate in training activities consistent with the goals listed in paragraph (1).'';

(C) in paragraph (3), by striking subparagraphs (A) and (B) and inserting the following:

''(A) PHASE I.—A Federal agency described in paragraph (1) shall authorize a recipient of a Phase I SBIR or STTR award to utilize not more than $6,500 per project, included as part of the award of the recipient or in addition to the amount of the award of the recipient as determined appropriate by the head of the Federal agency, for the services described in paragraph (1)—

''(i) provided through a vendor selected under paragraph (2)(A);

''(ii) provided through a vendor other than a vendor selected under paragraph (2)(A);

''(iii) achieved through the activities described in paragraph (2)(C); or

''(iv) provided or achieved through any combination of clauses (i), (ii), and (iii).

''(B) PHASE II.—A Federal agency described in paragraph (1) shall authorize a recipient of a Phase II SBIR or STTR award to utilize not more than $50,000 per project, included as part of the award of the recipient or in addition to the amount of the award of the recipient as determined appropriate by the head of the Federal agency, for the services described in paragraph (1)—

''(i) provided through a vendor selected under paragraph (2)(A);

''(ii) provided through a vendor other than a vendor selected under paragraph (2)(A);

''(iii) achieved through the activities described in paragraph (2)(C); or

''(iv) provided or achieved through any combination of clauses (i), (ii), and (iii).''; and

(D) by adding at the end the following:

''(5) TARGETED REVIEW.—A Federal agency may perform targeted reviews of technical and business assistance funding as described in subsection (mm)(1)(F).''; and

(2) by adding at the end the following:

''(zz) I-CORPS PARTICIPATION.—

''(1) IN GENERAL.—Each Federal agency that is required to conduct an SBIR or STTR program with an Innovation Corps (commonly known as 'I-Corps') program shall—

''(A) provide an option for participation in an I-Corps teams course by recipients of an award under the SBIR or STTR program; and

''(B) authorize the recipients described in subparagraph (A) to use an award provided under subsection (q) to provide additional technical assistance for participation in the I-Corps teams course.

''(2) COST OF PARTICIPATION.—The cost of participation by a recipient described in paragraph (1)(A) in an I-Corps course may be provided by—

''(A) an I-Corps team grant;

''(B) funds awarded to the recipient under subsection (q);

''(C) the participating teams or other sources as appropriate; or

''(D) any combination of sources described in subparagraphs (A), (B), and (C).

''(aaa) COMMERCIALIZATION IMPACT ASSESSMENT.—

''(1) IN GENERAL.—The Administrator shall coordinate with each Federal agency with an SBIR or STTR program to develop an annual commercialization impact assessment report, which shall measure, for each small business concern that has received not less than 50 Phase II awards on or after October 1 of the ninth fiscal year before the fiscal year in which the report is submitted—

''(A) total dollar value of Federal awards, contracts, and subcontracts, other than SBIR or STTR awards, received by the small business concern over the preceding 9 fiscal years;

''(B) the total dollar value of all SBIR and STTR Phase I and Phase II awards received by the small business concern over the preceding 9 fiscal years;

''(C) the average annual gross revenue of the small business concern over the preceding 9 years;

''(D) total revenue from the sale or licensing of new products and services resulting from the research conducted under the awards received in the preceding 9 fiscal years;

''(E) additional investment from any source other than Phase I or Phase II SBIR or STTR awards, to further the research and development conducted under the awards received in the preceding 9 fiscal years;

''(F) mergers and acquisitions of award recipients during or after the completion of a Phase II award;

''(G) new, unique spin-out companies resulting from research conducted under the awards received in the preceding 9 fiscal years;

''(H) patents acquired as a result of research conducted under the awards received in the preceding 9 fiscal years;

''(I) the year of first Phase II award and the total number of employees at the time of first Phase II award;

''(J) the number of employees, as of the end of the most recent fiscal year; and

''(K) the total number and value of Phase III awards received.

''(2) PUBLICATION.—A commercialization impact assessment report described in paragraph (1) of a Federal agency shall be—

''(A) included in the annual report of the Federal agency required under subsections (g)(9) and (o)(10); and

''(B) submitted to—

''(i) the Committee on Small Business and Entrepreneurship of the Senate; and

''(ii) the Committee on Science, Space, and Technology and the Committee on Small Business of the House of Representatives.

''(bbb) PATENT ASSISTANCE.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'Director' means the Under Secretary of Commerce for Intellectual Property and Director of the USPTO; and

''(B) the term 'USPTO' means the United States Patent and Trademark Office.

''(2) ASSISTANCE.—The Administrator shall enter into an interagency agreement with the Director under which the Director shall assist recipients of an award under the SBIR or STTR program (in this paragraph referred to as 'SBIR and STTR recipients') relating to intellectual property protection by establishing a prioritized patent examination program for SBIR and STTR recipients.

''(3) OUTREACH.—The Administrator shall coordinate with the Director to provide outreach regarding the Pro Se Assistance Program of, and scam prevention services provided by, the USPTO.''.

SA 2128. Mr. DURBIN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ALEXEI NAVALNY WAY.

(a) FINDINGS.—Congress finds the following:

(1) The administration of President Vladimir V. Putin of the Russian Federation has engaged in transnational repression, assassinations of political opponents, poisoning and other attempted murders of political opponents, journalists, and human rights defenders, systemic human rights abuses, and unprovoked military attacks against and deployments to neighboring countries.

(2) The administration of President Vladimir V. Putin of the Russian Federation has carried out arrests and detentions of individuals who peacefully seek democratic freedoms or oppose his repression, corruption, and invasion of Ukraine.

(3) Alexei Navalny was a Russian political dissident and activist dedicated to promoting democratic freedoms and fighting corruption in Russia.

(4) On February 16, 2024, the Russian prison where Alexei Navalny was being held after his conviction on fabricated charges in February 2021 announced that he had died a day after he was seen in good health.

(5) Alexei Navalny had a history of exposing the widespread corruption that sustained the Putin regime by enriching its enablers. He was recognized and awarded on numerous occasions for his work fighting corruption and promoting democratic ideals. Those recognitions and awards include the 2015 Prize of the Platform of European Memory and Conscience, a nomination for the 2021 Nobel Peace Prize, the 2021 Boris Nemtsov Prize for Courage, the 2021 Moral Courage Award by the Geneva Summit for Human Rights and Democracy, the 2021 Knight of Freedom Award by the Casimir Pulaski Foundation, and the 2021 Sakharov Prize by the European Parliament.

(6) Alexei Navalny and fellow dissident Vladimir Kara-Murza endured several poisonings and other attempts on their lives carried out by Putin's government.

(7) Renaming the street near the official residence of the Russian Ambassador to the United States serves as a continuing expression of solidarity between the people of the United States and the people of the Russian Federation, who are engaged in a sustained, peaceful, and patriotic struggle for fundamental freedoms.

(b) DESIGNATION OF ALEXEI NAVALNY WAY.—

(1) DESIGNATION OF WAY.—

(A) IN GENERAL.—The area of Sumner Row Northwest between 16th Street Northwest and L Street Northwest in Washington, District of Columbia, shall be known and designated as ''Alexei Navalny Way''.

(B) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the area referred to in subparagraph (A) shall be deemed to be a reference to ''Alexei Navalny Way''.

(2) SIGNS.—The District of Columbia shall construct 2 street signs—

(A) that contain the phrase ''Alexei Navalny Way'';

(B) one of which shall be placed immediately above existing signs between 1135 16th Street Northwest and 1119–1125 16th Street Northwest;

(C) one of which shall be placed on a sign post at 1555 L Street Northwest; and

(D) that are similar in design to the signs used by the District of Columbia to designate the location of Metro stations.

SA 2129. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. READ ACT REAUTHORIZATION.

Section 4(a) of the Reinforcing Education Accountability in Development Act (division A of Public Law 115–56; 22 U.S.C. 2151c note) is amended by striking ''during the following five fiscal years'' and inserting ''during the following ten fiscal years''.

SA 2130. Mr. DURBIN (for himself, Mr. BOOZMAN, Mrs. SHAHEEN, Mr. CASSIDY, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII, add the following:

SEC. 12____. INVESTMENT, TRADE, AND DEVELOPMENT IN AFRICA AND LATIN AMERICA AND THE CARIBBEAN.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The President shall establish a comprehensive United States strategy for public and private investment, trade, and development in Africa and Latin America and the Caribbean.

(2) FOCUS OF STRATEGY.—The strategy required by paragraph (1) shall focus on increasing exports of United States goods and services to Africa and Latin America and the Caribbean by 200 percent in real dollar value by the date that is 10 years after the date of the enactment of this Act.

(3) CONSULTATIONS.—In developing the strategy required by paragraph (1), the President shall consult with—

(A) Congress;

(B) each agency that is a member of the Trade Promotion Coordinating Committee;

(C) the relevant multilateral development banks, in coordination with the Secretary of the Treasury and the respective United States Executive Directors of such banks;

(D) each agency that participates in the Trade Policy Staff Committee;

(E) the President's Export Council;

(F) each of the development agencies;

(G) any other Federal agencies with responsibility for export promotion or financing and development; and

(H) the private sector, including businesses, nongovernmental organizations, and African and Latin American and Caribbean diaspora groups.

(4) SUBMISSION TO APPROPRIATE CONGRESSIONAL COMMITTEES.—

(A) STRATEGY.—Not later than 200 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees the strategy required by subsection (a).

(B) PROGRESS REPORT.—Not later than 3 years after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on the implementation of the strategy required by paragraph (1).

(b) SPECIAL AFRICA AND LATIN AMERICA AND THE CARIBBEAN EXPORT STRATEGY COORDINATORS.—The Secretary of Commerce shall designate an official of the Department of Commerce to serve as Special Africa Export Strategy Coordinator and an official of the Department to serve as Special Latin America and the Caribbean Export Strategy Coordinator—

(1) to oversee the development and implementation of the strategy required by subsection (a);

(2) to coordinate developing and implementing the strategy with—

(A) the Trade Promotion Coordinating Committee;

(B) the Director General for the United States and Foreign Commercial Service and Assistant Secretary of Commerce for Global Markets;

(C) the Assistant United States Trade Representative for African Affairs or the Assistant United States Trade Representative for the Western Hemisphere, as appropriate;

(D) the Assistant Secretary of State for African Affairs or the Assistant Secretary of State for Western Hemisphere Affairs, as appropriate;

(E) the Administrator of the Foreign Agricultural Service of the Department of Agriculture;

(F) the Export-Import Bank of the United States;

(G) the United States International Development Finance Corporation; and

(H) the development agencies; and

(3) to consider and reflect on the impact of the promotion of exports of goods and services from the United States on the economies of and employment opportunities in the countries importing those goods and services, with a view toward improving secure supply chains, avoiding economic disruptions, and stabilizing economic growth through a trade and export strategy.

(c) TRADE MISSIONS TO AFRICA AND LATIN AMERICA AND THE CARIBBEAN.—It is the sense of Congress that, not later than one year after the date of the enactment of this Act, the Secretary of Commerce and other high-level officials of the United States Government with responsibility for export promotion, financing, and development should conduct joint trade missions to Africa and to Latin America and the Caribbean.

(d) TRAINING.—The President shall develop a plan—

(1) to standardize the training received by United States and Foreign Commercial Service officers, economic officers of the Department of State, and economic officers of the United States Agency for International Development with respect to the programs and procedures of the Export-Import Bank of the United States, the United States International Development Finance Corporation, the Small Business Administration, and the United States Trade and Development Agency; and

(2) to ensure that, not later than one year after the date of the enactment of this Act—

(A) all United States and Foreign Commercial Service officers that are stationed overseas receive the training described in paragraph (1); and

(B) in the case of a country to which no United States and Foreign Commercial Service officer is assigned, any economic officer of the Department of State stationed in that country receives that training.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Finance, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Ways and Means of the House of Representatives.

(2) DEVELOPMENT AGENCIES.—The term ''development agencies'' means the United States Department of State, the United States Agency for International Development, the Millennium Challenge Corporation, the United States International Development Finance Corporation, the United States Trade and Development Agency, the United States Department of Agriculture, and relevant multilateral development banks.

(3) MULTILATERAL DEVELOPMENT BANKS.—The term ''multilateral development banks'' has the meaning given that term in section 1701(c)(4) of the International Financial Institutions Act (22 U.S.C. 262r(c)(4)) and includes the African Development Foundation.

(4) TRADE POLICY STAFF COMMITTEE.—The term ''Trade Policy Staff Committee'' means the Trade Policy Staff Committee established pursuant to section 2002.2 of title 15, Code of Federal Regulations.

(5) TRADE PROMOTION COORDINATING COMMITTEE.—The term ''Trade Promotion Coordinating Committee'' means the Trade Promotion Coordinating Committee established under section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727).

(6) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—The term ''United States and Foreign Commercial Service'' means the United States and Foreign Commercial Service established by section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721).

SA 2131. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—Transfer or Release of Individuals Detained at Guantanamo Bay Detention Facility

SEC. _01. PROHIBITION ON USE OF FUNDS TO OPERATE THE DETENTION FACILITY AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AFTER SEPTEMBER 30, 2026.

None of the funds authorized to be appropriated or otherwise made available by this Act or any other Act may be used to operate the detention facility at United States Naval Station, Guantanamo Bay, Cuba, after September 30, 2026.

SEC. _02. REPEAL OF PROHIBITIONS RELATING TO DETAINEES AT AND CLOSURE OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.—Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as most recently amended by section 1031 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 386), is repealed.

(b) USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.—Section 1034 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1032 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 387), is repealed.

(c) USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.—Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as most recently amended by section 1033 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 387), is repealed.

SEC. _03. REPEAL OF CERTAIN REQUIREMENTS FOR CERTIFICATIONS AND NOTIFICATIONS RELATING TO TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.

(a) CERTIFICATION.—Section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 969; 10 U.S.C. 801 note) is repealed.

(b) NOTIFICATION.—Section 308 of the Intelligence Authorization Act for Fiscal Year 2012 (Public Law 112–87; 125 Stat. 1883; 10 U.S.C. 801 note) is repealed.

SEC. _04. REPEAL OF CHAPTER 47A OF TITLE 10, UNITED STATES CODE.

(a) IN GENERAL.—Subchapters I through VI and subchapter VIII of chapter 47A of title 10, United States Code, are repealed.

(b) CONFORMING AMENDMENTS TO SUBCHAPTER VII.—

(1) IN GENERAL.—Subchapter VII of chapter 47A of such title is amended—

(A) in section 950d(a)(3), by inserting ''(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025)'' after ''of this title'';

(B) in section 950f—

(i) in subsection (b)—

(I) in paragraph (2), by inserting ''(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025)'' after ''of this title''; and

(II) in paragraph (6)(B), by striking ''section 949b(b)(4) of this title'' and inserting ''paragraph (7)''; and

(ii) by adding at the end the following new paragraph:

''(7) No appellate military judge on the United States Court of Military Commission Review may be reassigned to other duties, except under circumstances as follows:

''(A) The appellate military judge voluntarily requests to be reassigned to other duties and the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, approves such reassignment.

''(B) The appellate military judge retires or otherwise separates from the armed forces.

''(C) The appellate military judge is reassigned to other duties by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, based on military necessity and such reassignment is consistent with service rotation regulations (to the extent such regulations are applicable).

''(D) The appellate military judge is withdrawn by the Secretary of Defense, or the designee of the Secretary, in consultation with the Judge Advocate General of the armed force of which the appellate military judge is a member, for good cause consistent with applicable procedures under chapter 47 of this title (the Uniform Code of Military Justice).'';

(C) in section 950h(c), by inserting ''(as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025)'' after ''of this title''; and

(D) by adding at the end the following new section:

''§ 950k. Definition

''In this subchapter, the term 'military commission under this chapter' means a military commission under this chapter as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VII of chapter 47A of such title is amended by adding at the end the following new item:

''950k. Definition.''.

(c) CLERICAL AMENDMENT.—The table of subchapters at the beginning of chapter 47A of such title is amended by striking the items relating to subchapters I through VI and subchapter VIII.

SA 2132. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. EXTENSION OF ANNUAL REPORT ON STRIKES UNDERTAKEN BY THE UNITED STATES AGAINST TERRORIST TARGETS OUTSIDE AREAS OF ACTIVE HOSTILITIES.

Section 1723 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1811) is amended—

(1) in subsection (a), by striking ''until 2022'' and inserting ''until 2032'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''The report'' and inserting ''Each report''; and

(B) in paragraph (1), by striking the semicolon and inserting ''; and''; and

(3) in subsection (d), by striking ''The report'' and inserting ''Each report''.

SA 2133. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE __—FIRST STEP IMPLEMENTATION ACT OF 2024

SEC. __1. SHORT TITLE.

This title may be cited as the ''First Step Implementation Act of 2024''.

SEC. __2. SENTENCING REFORM.

(a) APPLICATION OF FIRST STEP ACT.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''covered offense'' means—

(i) a violation of a Federal criminal statute, the statutory penalties for which were modified by section 401 or 403 of the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5220), that was committed on or before December 21, 2018; or

(ii) a violation of a Federal criminal statute, the statutory penalties for which are modified by paragraph (2) of this subsection; and

(B) the term ''serious violent felony'' has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) AMENDMENTS.—

(A) IN GENERAL.—

(i) CONTROLLED SUBSTANCES ACT.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended—

(I) in paragraph (1)—

(aa) in subparagraph (C), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony'';

(bb) in subparagraph (D), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''; and

(cc) in subparagraph (E)(ii), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony'';

(II) in paragraph (2), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''; and

(III) in paragraph (3), by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''.

(ii) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—Section 1010(b)(3) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(3)) is amended by striking ''felony drug offense'' and inserting ''serious drug felony or serious violent felony''.

(B) PENDING CASES.—This paragraph, and the amendments made by this paragraph, shall apply to any sentence imposed on or after the date of enactment of this title, regardless of when the offense was committed.

(3) DEFENDANTS PREVIOUSLY SENTENCED.—A court that imposed a sentence for a covered offense may, on motion of the defendant, the Director of the Bureau of Prisons, the attorney for the Government, or the court, impose a reduced sentence as if sections 401 and 403 of the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5220) and the amendments made by paragraph (2) of this subsection were in effect at the time the covered offense was committed if, after considering the factors set forth in section 3553(a) of title 18, United States Code, the nature and seriousness of the danger to any person, the community, or any crime victims, and the post-sentencing conduct of the defendant, the sentencing court finds a reduction is consistent with the amendments made by section 401 or 403 of the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5220) or with paragraph (2) of this subsection.

(4) CRIME VICTIMS.—Any proceeding under this subsection shall be subject to section 3771 of title 18, United States Code (commonly known as the ''Crime Victims' Rights Act'').

(5) REQUIREMENT.—For each motion filed under paragraph (3), the Government shall conduct a particularized inquiry of the facts and circumstances of the original sentencing of the defendant in order to assess whether a reduction in sentence would be consistent with the First Step Act of 2018 (Public Law 115–391; 132 Stat. 5194) and the amendments made by that Act, including a review of any prior criminal conduct or any other relevant information from Federal, State, and local authorities.

(b) MODIFYING SAFETY VALVE FOR DRUG OFFENSES.—

(1) AMENDMENTS.—Section 3553 of title 18, United States Code, is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following:

''(g) INADEQUACY OF CRIMINAL HISTORY.—

''(1) IN GENERAL.—If subsection (f) does not apply to a defendant because the defendant does not meet the requirements described in subsection (f)(1) (relating to criminal history), the court may, upon prior notice to the Government, waive subsection (f)(1) if the court specifies in writing the specific reasons why reliable information indicates that excluding the defendant pursuant to subsection (f)(1) substantially overrepresents the seriousness of the defendant's criminal history or the likelihood that the defendant will commit other crimes.

''(2) PROHIBITION.—This subsection shall not apply to any defendant who has been convicted of a serious drug felony or a serious violent felony, as those terms are defined in section 102 of the Controlled Substances Act (21 U.S.C. 802).''.

SEC. __3. CORRECTIONS REFORM.

(a) PAROLE FOR JUVENILES.—

(1) IN GENERAL.—Chapter 403 of title 18, United States Code, is amended by inserting after section 5032 the following:

''§ 5032A. Modification of an imposed term of imprisonment for violations of law committed prior to age 18

''(a) IN GENERAL.—Notwithstanding any other provision of law, a court may reduce a term of imprisonment imposed upon a defendant convicted as an adult for an offense committed and completed before the defendant attained 18 years of age if—

''(1) the defendant has served not less than 20 years in custody for the offense; and

''(2) the court finds, after considering the factors set forth in subsection (c), that the defendant is not a danger to the safety of any person or the community and that the interests of justice warrant a sentence modification.

''(b) SUPERVISED RELEASE.—Any defendant whose sentence is reduced pursuant to subsection (a) shall be ordered to serve a period of supervised release of not less than 5 years following release from imprisonment. The conditions of supervised release and any modification or revocation of the term of supervise release shall be in accordance with section 3583.

''(c) FACTORS AND INFORMATION TO BE CONSIDERED IN DETERMINING WHETHER TO MODIFY A TERM OF IMPRISONMENT.—The court, in determining whether to reduce a term of imprisonment pursuant to subsection (a), shall consider—

''(1) the factors described in section 3553(a), including the nature of the offense and the history and characteristics of the defendant;

''(2) the age of the defendant at the time of the offense;

''(3) a report and recommendation of the Bureau of Prisons, including information on whether the defendant has substantially complied with the rules of each institution in which the defendant has been confined and whether the defendant has completed any educational, vocational, or other prison program, where available;

''(4) a report and recommendation of the United States attorney for any district in which an offense for which the defendant is imprisoned was prosecuted;

''(5) whether the defendant has demonstrated maturity, rehabilitation, and a fitness to reenter society sufficient to justify a sentence reduction;

''(6) any statement, which may be presented orally or otherwise, by any victim of an offense for which the defendant is imprisoned or by a family member of the victim if the victim is deceased;

''(7) any report from a physical, mental, or psychiatric examination of the defendant conducted by a licensed health care professional;

''(8) the family and community circumstances of the defendant at the time of the offense, including any history of abuse, trauma, or involvement in the child welfare system;

''(9) the extent of the role of the defendant in the offense and whether, and to what extent, an adult was involved in the offense;

''(10) the diminished culpability of juveniles as compared to that of adults, and the hallmark features of youth, including immaturity, impetuosity, and failure to appreciate risks and consequences, which counsel against sentencing juveniles to the otherwise applicable term of imprisonment; and

''(11) any other information the court determines relevant to the decision of the court.

''(d) LIMITATION ON APPLICATIONS PURSUANT TO THIS SECTION.—

''(1) SECOND APPLICATION.—Not earlier than 5 years after the date on which an order entered by a court on an initial application under this section becomes final, a court shall entertain a second application by the same defendant under this section.

''(2) FINAL APPLICATION.—Not earlier than 5 years after the date on which an order entered by a court on a second application under paragraph (1) becomes final, a court shall entertain a final application by the same defendant under this section.

''(3) PROHIBITION.—A court may not entertain an application filed after an application filed under paragraph (2) by the same defendant.

''(e) PROCEDURES.—

''(1) NOTICE.—The Bureau of Prisons shall provide written notice of this section to—

''(A) any defendant who has served not less than 19 years in prison for an offense committed and completed before the defendant attained 18 years of age for which the defendant was convicted as an adult; and

''(B) the sentencing court, the United States attorney, and the Federal Public Defender or Executive Director of the Community Defender Organization for the judicial district in which the sentence described in subparagraph (A) was imposed.

''(2) CRIME VICTIMS' RIGHTS.—Upon receiving notice under paragraph (1), the United States attorney shall provide any notifications required under section 3771.

''(3) APPLICATION.—

''(A) IN GENERAL.—An application for a sentence reduction under this section shall be filed as a motion to reduce the sentence of the defendant and may include affidavits or other written material.

''(B) REQUIREMENT.—A motion to reduce a sentence under this section shall be filed with the sentencing court and a copy shall be served on the United States attorney for the judicial district in which the sentence was imposed.

''(4) EXPANDING THE RECORD; HEARING.—

''(A) EXPANDING THE RECORD.—After the filing of a motion to reduce a sentence under this section, the court may direct the parties to expand the record by submitting additional written materials relating to the motion.

''(B) HEARING.—

''(i) IN GENERAL.—The court shall conduct a hearing on the motion, at which the defendant and counsel for the defendant shall be given the opportunity to be heard.

''(ii) EVIDENCE.—In a hearing under this section, the court may allow parties to present evidence.

''(iii) DEFENDANT'S PRESENCE.—At a hearing under this section, the defendant shall be present unless the defendant waives the right to be present. The requirement under this clause may be satisfied by the defendant appearing by video teleconference.

''(iv) COUNSEL.—A defendant who is unable to obtain counsel is entitled to have counsel appointed to represent the defendant for proceedings under this section, including any appeal, unless the defendant waives the right to counsel.

''(v) FINDINGS.—The court shall state in open court, and file in writing, the reasons for granting or denying a motion under this section.

''(C) APPEAL.—The Government or the defendant may file a notice of appeal in the district court for review of a final order under this section. The time limit for filing such appeal shall be governed by rule 4(a) of the Federal Rules of Appellate Procedure.

''(f) EDUCATIONAL AND REHABILITATIVE PROGRAMS.—A defendant who is convicted and sentenced as an adult for an offense committed and completed before the defendant attained 18 years of age may not be deprived of any educational, training, or rehabilitative program that is otherwise available to the general prison population.''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 403 of title 18, United States Code, is amended by inserting after the item relating to section 5032 the following:

''5032A. Modification of an imposed term of imprisonment for violations of law committed prior to age 18.''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply to any conviction entered before, on, or after the date of enactment of this title.

(b) JUVENILE SEALING AND EXPUNGEMENT.—

(1) PURPOSE.—The purpose of this subsection is to—

(A) protect children and adults against damage stemming from their juvenile acts and subsequent juvenile delinquency records, including law enforcement, arrest, and court records; and

(B) prevent the unauthorized use or disclosure of confidential juvenile delinquency records and any potential employment, financial, psychological, or other harm that would result from such unauthorized use or disclosure.

(2) DEFINITIONS.—Section 5031 of title 18, United States Code, is amended to read as follows:

''§ 5031. Definitions

''In this chapter—

''(1) the term 'adjudication' means a determination by a judge that a person committed an act of juvenile delinquency;

''(2) the term 'conviction' means a judgment or disposition in criminal court against a person following a finding of guilt by a judge or jury;

''(3) the term 'destroy' means to render a file unreadable, whether paper, electronic, or otherwise stored, by shredding, pulverizing, pulping, incinerating, overwriting, reformatting the media, or other means;

''(4) the term 'expunge' means to destroy a record and obliterate the name of the person to whom the record pertains from each official index or public record;

''(5) the term 'expungement hearing' means a hearing held under section 5045(b)(2)(B);

''(6) the term 'expungement petition' means a petition for expungement filed under section 5045(b);

''(7) the term 'high-risk, public trust position' means a position designated as a public trust position under section 731.106(b) of title 5, Code of Federal Regulations, or any successor regulation;

''(8) the term 'juvenile' means—

''(A) except as provided in subparagraph (B), a person who has not attained the age of 18 years; and

''(B) for the purpose of proceedings and disposition under this chapter for an alleged act of juvenile delinquency, a person who has not attained the age of 21 years;

''(9) the term 'juvenile delinquency' means the violation of a law of the United States committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult, or a violation by such a person of section 922(x);

''(10) the term 'juvenile nonviolent offense' means—

''(A) in the case of an arrest or an adjudication that is dismissed or finds the juvenile to be not delinquent, an act of juvenile delinquency that is not—

''(i) a criminal homicide, forcible rape or any other sex offense (as defined in section 111 of the Sex Offender Registration and Notification Act (34 U.S.C. 20911)), kidnapping, aggravated assault, robbery, burglary of an occupied structure, arson, or a drug trafficking crime in which a firearm was used; or

''(ii) a Federal crime of terrorism (as defined in section 2332b(g)); and

''(B) in the case of an adjudication that finds the juvenile to be delinquent, an act of juvenile delinquency that is not—

''(i) described in clause (i) or (ii) of subparagraph (A); or

''(ii) a misdemeanor crime of domestic violence (as defined in section 921(a)(33));

''(11) the term 'juvenile record'—

''(A) means a record maintained by a court, the probation system, a law enforcement agency, or any other government agency, of the juvenile delinquency proceedings of a person;

''(B) includes—

''(i) a juvenile legal file, including a formal document such as a petition, notice, motion, legal memorandum, order, or decree;

''(ii) a social record, including—

''(I) a record of a probation officer;

''(II) a record of any government agency that keeps records relating to juvenile delinquency;

''(III) a medical record;

''(IV) a psychiatric or psychological record;

''(V) a birth certificate;

''(VI) an education record, including an individualized education plan;

''(VII) a detention record;

''(VIII) demographic information that identifies a juvenile or the family of a juvenile; or

''(IX) any other record that includes personally identifiable information that may be associated with a juvenile delinquency proceeding, an act of juvenile delinquency, or an alleged act of juvenile delinquency; and

''(iii) a law enforcement record, including a photograph or a State criminal justice information system record; and

''(C) does not include—

''(i) fingerprints; or

''(ii) a DNA sample;

''(12) the term 'petitioner' means a person who files an expungement petition or a sealing petition;

''(13) the term 'seal' means—

''(A) to close a record from public viewing so that the record cannot be examined except by court order; and

''(B) to physically seal the record shut and label the record 'SEALED' or, in the case of an electronic record, the substantive equivalent;

''(14) the term 'sealing hearing' means a hearing held under section 5044(b)(2)(B); and

''(15) the term 'sealing petition' means a petition for a sealing order filed under section 5044(b).''.

(3) CONFIDENTIALITY.—Section 5038 of title 18, United States Code, is amended—

(A) in subsection (a), in the flush text following paragraph (6), by inserting after ''bonding,'' the following: ''participation in an educational system,''; and

(B) in subsection (b), by striking ''District courts exercising jurisdiction over any juvenile'' and inserting the following: ''Not later than 7 days after the date on which a district court exercises jurisdiction over a juvenile, the district court''.

(4) SEALING; EXPUNGEMENT.—

(A) IN GENERAL.—Chapter 403 of title 18, United States Code, is amended by adding at the end the following:

''§ 5044. Sealing

''(a) AUTOMATIC SEALING OF NONVIOLENT OFFENSES.—

''(1) IN GENERAL.—Three years after the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense, the court shall order the sealing of each juvenile record or portion thereof that relates to the offense if the person—

''(A) has not been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; and

''(B) is not engaged in active criminal court proceedings or juvenile delinquency proceedings.

''(2) AUTOMATIC NATURE OF SEALING.—The order of sealing under paragraph (1) shall require no action by the person whose juvenile records are to be sealed.

''(3) NOTICE OF AUTOMATIC SEALING.—A court that orders the sealing of a juvenile record of a person under paragraph (1) shall, in writing, inform the person of the sealing and the benefits of sealing the record.

''(b) PETITIONING FOR EARLY SEALING OF NONVIOLENT OFFENSES.—

''(1) RIGHT TO FILE SEALING PETITION.—

''(A) IN GENERAL.—During the 3-year period beginning on the date on which a person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense completes every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense, the person may petition the court to seal the juvenile records that relate to the offense, unless the person—

''(i) has been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition; or

''(ii) is engaged in active criminal court proceedings or juvenile delinquency proceedings.

''(B) NOTICE OF OPPORTUNITY TO FILE PETITION.—If a person is adjudicated delinquent for a juvenile nonviolent offense, the court in which the person is adjudicated delinquent shall, in writing, inform the person of the potential eligibility of the person to file a sealing petition with respect to the offense upon completing every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense, and the necessary procedures for filing the sealing petition—

''(i) on the date on which the individual is adjudicated delinquent; and

''(ii) on the date on which the individual has completed every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense.

''(2) PROCEDURES.—

''(A) NOTIFICATION TO PROSECUTOR.—If a person files a sealing petition with respect to a juvenile nonviolent offense, the court in which the petition is filed shall provide notice of the petition—

''(i) to the Attorney General; and

''(ii) upon the request of the petitioner, to any other individual that the petitioner determines may testify as to—

''(I) the conduct of the petitioner since the date of the offense; or

''(II) the reasons that the sealing order should be entered.

''(B) HEARING.—

''(i) IN GENERAL.—If a person files a sealing petition, the court shall—

''(I) except as provided in clause (iii), conduct a hearing in accordance with clause (ii); and

''(II) determine whether to enter a sealing order for the person in accordance with subparagraph (C).

''(ii) OPPORTUNITY TO TESTIFY AND OFFER EVIDENCE.—

''(I) PETITIONER.—The petitioner may testify or offer evidence at the sealing hearing in support of sealing.

''(II) PROSECUTOR.—The Attorney General may send a representative to testify or offer evidence at the sealing hearing in support of or against sealing.

''(III) OTHER INDIVIDUALS.—An individual who receives notice under subparagraph (A)(ii) may testify or offer evidence at the sealing hearing as to the issues described in subclauses (I) and (II) of that subparagraph.

''(iii) WAIVER OF HEARING.—If the petitioner and the Attorney General so agree, the court shall make a determination under subparagraph (C) without a hearing.

''(C) BASIS FOR DECISION.—The court shall determine whether to grant the sealing petition after considering—

''(i) the sealing petition and any documents in the possession of the court;

''(ii) all the evidence and testimony presented at the sealing hearing, if such a hearing is conducted;

''(iii) the best interests of the petitioner;

''(iv) the age of the petitioner during his or her contact with the court or any law enforcement agency;

''(v) the nature of the juvenile nonviolent offense;

''(vi) the disposition of the case;

''(vii) the manner in which the petitioner participated in any court-ordered rehabilitative programming or supervised services;

''(viii) the length of the time period during which the petitioner has been without contact with any court or law enforcement agency;

''(ix) whether the petitioner has had any criminal or juvenile delinquency involvement since the disposition of the juvenile delinquency proceeding; and

''(x) the adverse consequences the petitioner may suffer if the petition is not granted.

''(D) WAITING PERIOD AFTER DENIAL.—If the court denies a sealing petition, the petitioner may not file a new sealing petition with respect to the same juvenile nonviolent offense until the date that is 2 years after the date of the denial.

''(E) UNIVERSAL FORM.—The Director of the Administrative Office of the United States Courts shall create a universal form, available over the internet and in paper form, that an individual may use to file a sealing petition.

''(F) NO FEE FOR INDIGENT PETITIONERS.—If the court determines that the petitioner is indigent, there shall be no cost for filing a sealing petition.

''(G) REPORTING.—Not later than 2 years after the date of enactment of this section, and each year thereafter, the Director of the Administrative Office of the United States Courts shall issue a public report that—

''(i) describes—

''(I) the number of sealing petitions granted and denied under this subsection; and

''(II) the number of instances in which the Attorney General supported or opposed a sealing petition;

''(ii) includes any supporting data that the Director determines relevant and that does not name any petitioner; and

''(iii) disaggregates all relevant data by race, ethnicity, gender, and the nature of the offense.

''(H) PUBLIC DEFENDER ELIGIBILITY.—

''(i) PETITIONERS UNDER AGE 18.—The district court shall appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent a petitioner for purposes of this subsection if the petitioner is less than 18 years of age.

''(ii) PETITIONERS AGE 18 AND OLDER.—

''(I) DISCRETION OF COURT.—In the case of a petitioner who is not less than 18 years of age, the district court may, in its discretion, appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent the petitioner for purposes of this subsection.

''(II) CONSIDERATIONS.—In determining whether to appoint counsel under subclause (I), the court shall consider—

''(aa) the anticipated complexity of the sealing hearing, including the number and type of witnesses called to advocate against the sealing of the records of the petitioner; and

''(bb) the potential for adverse testimony by a victim or a representative of the Attorney General.

''(c) EFFECT OF SEALING ORDER.—

''(1) PROTECTION FROM DISCLOSURE.—Except as provided in paragraphs (3) and (4), if a court orders the sealing of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the proceedings in the case shall be deemed never to have occurred, and the person may properly reply accordingly to any inquiry about the events the records of which are ordered sealed.

''(2) VERIFICATION OF SEALING.—If a court orders the sealing of a juvenile record under subsection (a) or (b) with respect to a juvenile nonviolent offense, the court shall—

''(A) send a copy of the sealing order to each entity or person known to the court that possesses a record relating to the offense, including each—

''(i) law enforcement agency; and

''(ii) public or private correctional or detention facility;

''(B) in the sealing order, require each entity or person described in subparagraph (A) to—

''(i) seal the record; and

''(ii) submit a written certification to the court, under penalty of perjury, that the entity or person has sealed each paper and electronic copy of the record;

''(C) seal each paper and electronic copy of the record in the possession of the court; and

''(D) after receiving a written certification from each entity or person under subparagraph (B)(ii), notify the petitioner that each entity or person described in subparagraph (A) has sealed each paper and electronic copy of the record.

''(3) LAW ENFORCEMENT ACCESS TO SEALED RECORDS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a law enforcement agency may access a sealed juvenile record in the possession of the agency or another law enforcement agency solely—

''(i) to determine whether the person who is the subject of the record is a nonviolent offender eligible for a first-time-offender diversion program;

''(ii) for investigatory or prosecutorial purposes; or

''(iii) for a background check that relates to—

''(I) law enforcement employment; or

''(II) any position that a Federal agency designates as a—

''(aa) national security position; or

''(bb) high-risk, public trust position.

''(B) TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the sealing of a juvenile record under this section, a law enforcement agency may, for law enforcement purposes, access the record if the record is in the possession of the agency or another law enforcement agency.

''(4) PROHIBITION ON DISCLOSURE.—

''(A) PROHIBITION.—Except as provided in subparagraph (C), it shall be unlawful to intentionally make or attempt to make an unauthorized disclosure of any information from a sealed juvenile record in violation of this section.

''(B) PENALTY.—Any person who violates subparagraph (A) shall be fined under this title, imprisoned for not more than 1 year, or both.

''(C) EXCEPTIONS.—

''(i) BACKGROUND CHECKS.—In the case of a background check for law enforcement employment or for any employment that requires a government security clearance—

''(I) a person who is the subject of a juvenile record sealed under this section shall disclose the contents of the record; and

''(II) a law enforcement agency that possesses a juvenile record sealed under this section—

''(aa) may disclose the contents of the record; and

''(bb) if the agency obtains or is subject to a court order authorizing disclosure of the record, may disclose the record.

''(ii) DISCLOSURE TO ARMED FORCES.—A person, including a law enforcement agency that possesses a juvenile record sealed under this section, may disclose information from a juvenile record sealed under this section to the Secretaries of the military departments (or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy) for the purpose of vetting an enlistment or commission, or with regard to any member of the Armed Forces.

''(iii) CRIMINAL AND JUVENILE PROCEEDINGS.—A prosecutor or other law enforcement officer may disclose information from a juvenile record sealed under this section, and a person who is the subject of a juvenile record sealed under this section may be required to testify or otherwise disclose information about the record, in a criminal or other proceeding if such disclosure is required by the Constitution of the United States, the constitution of a State, or a Federal or State statute or rule.

''(iv) AUTHORIZATION FOR PERSON TO DISCLOSE OWN RECORD.—A person who is the subject of a juvenile record sealed under this section may choose to disclose the record.

''(d) LIMITATION RELATING TO SUBSEQUENT INCIDENTS.—

''(1) AFTER FILING AND BEFORE PETITION GRANTED.—If, after the date on which a person files a sealing petition with respect to a

juvenile offense and before the court determines whether to grant the petition, the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court shall deny the petition.

''(2) AFTER PETITION GRANTED.—If, on or after the date on which a court orders the sealing of a juvenile record of a person under subsection (b), the person is convicted of a crime or adjudicated delinquent for an act of juvenile delinquency—

''(A) the court shall—

''(i) vacate the order; and

''(ii) notify the person who is the subject of the juvenile record, and each entity or person described in subsection (c)(2)(A), that the order has been vacated; and

''(B) the record shall no longer be sealed.

''(e) INCLUSION OF STATE JUVENILE DELINQUENCY ADJUDICATIONS AND PROCEEDINGS.—For purposes of subparagraphs (A) and (B) of subsection (a)(1), clauses (i) and (ii) of subsection (b)(1)(A), subsection (b)(2)(C)(ix), and paragraphs (1) and (2) of subsection (d), the term 'juvenile delinquency' includes the violation of a law of a State committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult.

''§ 5045. Expungement

''(a) AUTOMATIC EXPUNGEMENT OF CERTAIN RECORDS.—

''(1) ATTORNEY GENERAL MOTION.—

''(A) NONVIOLENT OFFENSES COMMITTED BEFORE A PERSON TURNED 15.—If a person is adjudicated delinquent under this chapter for a juvenile nonviolent offense committed before the person attained 15 years of age and completes every term of probation, official detention, or juvenile delinquent supervision ordered by the court with respect to the offense before attaining 18 years of age, on the date on which the person attains 18 years of age, the Attorney General shall file a motion in the district court of the United States in which the person was adjudicated delinquent requesting that each juvenile record of the person that relates to the offense be expunged.

''(B) ARRESTS.—If a juvenile is arrested by a Federal law enforcement agency for a juvenile nonviolent offense for which a juvenile delinquency proceeding is not instituted under this chapter, and for which the United States does not proceed against the juvenile as an adult in a district court of the United States, the Attorney General shall file a motion in the district court of the United States that would have had jurisdiction of the proceeding requesting that each juvenile record relating to the arrest be expunged.

''(C) EXPUNGEMENT ORDER.—Upon the filing of a motion in a district court of the United States with respect to a juvenile nonviolent offense under subparagraph (A) or an arrest for a juvenile nonviolent offense under subparagraph (B), the court shall grant the motion and order that each juvenile record relating to the offense or arrest, as applicable, be expunged.

''(2) DISMISSED CASES.—If a district court of the United States dismisses an information with respect to a juvenile under this chapter or finds a juvenile not to be delinquent in a juvenile delinquency proceeding under this chapter, the court shall concurrently order that each juvenile record relating to the applicable proceeding be expunged.

''(3) AUTOMATIC NATURE OF EXPUNGEMENT.—An order of expungement under paragraph (1)(C) or (2) shall not require any action by the person whose records are to be expunged.

''(4) NOTICE OF AUTOMATIC EXPUNGEMENT.—A court that orders the expungement of a juvenile record of a person under paragraph (1)(C) or (2) shall, in writing, inform the person of the expungement and the benefits of expunging the record.

''(b) PETITIONING FOR EXPUNGEMENT OF NONVIOLENT OFFENSES.—

''(1) IN GENERAL.—A person who is adjudicated delinquent under this chapter for a juvenile nonviolent offense committed on or after the date on which the person attained 15 years of age may petition the court in which the proceeding took place to order the expungement of the juvenile record that relates to the offense unless the person—

''(A) has been convicted of a crime or adjudicated delinquent for an act of juvenile delinquency since the date of the disposition;

''(B) is engaged in active criminal court proceedings or juvenile delinquency proceedings; or

''(C) has had not less than 2 adjudications of delinquency previously expunged under this section.

''(2) PROCEDURES.—

''(A) NOTIFICATION OF PROSECUTOR AND VICTIMS.—If a person files an expungement petition with respect to a juvenile nonviolent offense, the court in which the petition is filed shall provide notice of the petition—

''(i) to the Attorney General; and

''(ii) upon the request of the petitioner, to any other individual that the petitioner determines may testify as to—

''(I) the conduct of the petitioner since the date of the offense; or

''(II) the reasons that the expungement order should be entered.

''(B) HEARING.—

''(i) IN GENERAL.—If a person files an expungement petition, the court shall—

''(I) except as provided in clause (iii), conduct a hearing in accordance with clause (ii); and

''(II) determine whether to enter an expungement order for the person in accordance with subparagraph (C).

''(ii) OPPORTUNITY TO TESTIFY AND OFFER EVIDENCE.—

''(I) PETITIONER.—The petitioner may testify or offer evidence at the expungement hearing in support of expungement.

''(II) PROSECUTOR.—The Attorney General may send a representative to testify or offer evidence at the expungement hearing in support of or against expungement.

''(III) OTHER INDIVIDUALS.—An individual who receives notice under subparagraph (A)(ii) may testify or offer evidence at the expungement hearing as to the issues described in subclauses (I) and (II) of that subparagraph.

''(iii) WAIVER OF HEARING.—If the petitioner and the Attorney General so agree, the court shall make a determination under subparagraph (C) without a hearing.

''(C) BASIS FOR DECISION.—The court shall determine whether to grant an expungement petition after considering—

''(i) the petition and any documents in the possession of the court;

''(ii) all the evidence and testimony presented at the expungement hearing, if such a hearing is conducted;

''(iii) the best interests of the petitioner;

''(iv) the age of the petitioner during his or her contact with the court or any law enforcement agency;

''(v) the nature of the juvenile nonviolent offense;

''(vi) the disposition of the case;

''(vii) the manner in which the petitioner participated in any court-ordered rehabilitative programming or supervised services;

''(viii) the length of the time period during which the petitioner has been without contact with any court or any law enforcement agency;

''(ix) whether the petitioner has had any criminal or juvenile delinquency involvement since the disposition of the juvenile delinquency proceeding; and

''(x) the adverse consequences the petitioner may suffer if the petition is not granted.

''(D) WAITING PERIOD AFTER DENIAL.—If the court denies an expungement petition, the petitioner may not file a new expungement petition with respect to the same offense until the date that is 2 years after the date of the denial.

''(E) UNIVERSAL FORM.—The Director of the Administrative Office of the United States Courts shall create a universal form, available over the internet and in paper form, that an individual may use to file an expungement petition.

''(F) NO FEE FOR INDIGENT PETITIONERS.—If the court determines that the petitioner is indigent, there shall be no cost for filing an expungement petition.

''(G) REPORTING.—Not later than 2 years after the date of enactment of this section, and each year thereafter, the Director of the Administrative Office of the United States Courts shall issue a public report that—

''(i) describes—

''(I) the number of expungement petitions granted and denied under this subsection; and

''(II) the number of instances in which the Attorney General supported or opposed an expungement petition;

''(ii) includes any supporting data that the Director determines relevant and that does not name any petitioner; and

''(iii) disaggregates all relevant data by race, ethnicity, gender, and the nature of the offense.

''(H) PUBLIC DEFENDER ELIGIBILITY.—

''(i) PETITIONERS UNDER AGE 18.—The district court shall appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent a petitioner for purposes of this subsection if the petitioner is less than 18 years of age.

''(ii) PETITIONERS AGE 18 AND OLDER.—

''(I) DISCRETION OF COURT.—In the case of a petitioner who is not less than 18 years of age, the district court may, in its discretion, appoint counsel in accordance with the plan of the district court in operation under section 3006A to represent the petitioner for purposes of this subsection.

''(II) CONSIDERATIONS.—In determining whether to appoint counsel under subclause (I), the court shall consider—

''(aa) the anticipated complexity of the expungement hearing, including the number and type of witnesses called to advocate against the expungement of the records of the petitioner; and

''(bb) the potential for adverse testimony by a victim or a representative of the Attorney General.

''(c) EFFECT OF EXPUNGED JUVENILE RECORD.—

''(1) PROTECTION FROM DISCLOSURE.—Except as provided in paragraphs (4) through (8), if a court orders the expungement of a juvenile record of a person under subsection (a) or (b) with respect to a juvenile nonviolent offense, the proceedings in the case shall be deemed never to have occurred, and the person may properly reply accordingly to any inquiry about the events the records of which are ordered expunged.

''(2) VERIFICATION OF EXPUNGEMENT.—If a court orders the expungement of a juvenile record under subsection (a) or (b) with respect to a juvenile nonviolent offense, the court shall—

''(A) send a copy of the expungement order to each entity or person known to the court that possesses a record relating to the offense, including each—

''(i) law enforcement agency; and

''(ii) public or private correctional or detention facility;

''(B) in the expungement order—

''(i) require each entity or person described in subparagraph (A) to—

''(I) seal the record for 1 year and, during that 1-year period, apply paragraphs (3) and (4) of section 5044(c) with respect to the record;

''(II) on the date that is 1 year after the date of the order, destroy the record unless a subsequent incident described in subsection (d)(2) occurs; and

''(III) submit a written certification to the court, under penalty of perjury, that the entity or person has destroyed each paper and electronic copy of the record; and

''(ii) explain that if a subsequent incident described in subsection (d)(2) occurs, the order shall be vacated and the record shall no longer be sealed;

''(C) on the date that is 1 year after the date of the order, destroy each paper and electronic copy of the record in the possession of the court unless a subsequent incident described in subsection (d)(2) occurs; and

''(D) after receiving a written certification from each entity or person under subparagraph (B)(i)(III), notify the petitioner that each entity or person described in subparagraph (A) has destroyed each paper and electronic copy of the record.

''(3) REPLY TO INQUIRIES.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record of a person under this section, in the case of an inquiry relating to the juvenile record, the court, each law enforcement officer, any agency that provided treatment or rehabilitation services to the person, and the person (except as provided in paragraphs (4) through (8)) shall reply to the inquiry that no such juvenile record exists.

''(4) CIVIL ACTIONS.—

''(A) IN GENERAL.—On and after the date on which a court orders the expungement of a juvenile record of a person under this section, if the person brings an action against a law enforcement agency that arrested, or participated in the arrest of, the person for the offense to which the record relates, or against the State or political subdivision of a State of which the law enforcement agency is an agency, in which the contents of the record are relevant to the resolution of the issues presented in the action, there shall be a rebuttable presumption that the defendant has a complete defense to the action.

''(B) SHOWING BY PLAINTIFF.—In an action described in subparagraph (A), the plaintiff may rebut the presumption of a complete defense by showing that the contents of the expunged record would not prevent the defendant from being held liable.

''(C) DUTY TO TESTIFY AS TO EXISTENCE OF RECORD.—The court in which an action described in subparagraph (A) is filed may require the plaintiff to state under oath whether the plaintiff had a juvenile record and whether the record was expunged.

''(D) PROOF OF EXISTENCE OF JUVENILE RECORD.—If the plaintiff in an action described in subparagraph (A) denies the existence of a juvenile record, the defendant may prove the existence of the record in any manner compatible with the applicable laws of evidence.

''(5) CRIMINAL AND JUVENILE PROCEEDINGS.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, a prosecutor or other law enforcement officer may disclose underlying information from the juvenile record, and the person who is the subject of the juvenile record may be required to testify or otherwise disclose information about the record, in a criminal or other proceeding if such disclosure is required by the Constitution of the United States, the constitution of a State, or a Federal or State statute or rule.

''(6) BACKGROUND CHECKS.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, in the case of a background check for law enforcement employment or for any employment that requires a government security clearance, the person who is the subject of the juvenile record may be required to disclose underlying information from the record.

''(7) DISCLOSURE TO ARMED FORCES.—On and after the date that is 1 year after the date on which a court orders the expungement of a juvenile record under this section, a person, including a law enforcement agency that possessed such a juvenile record, may be required to disclose underlying information from the record to the Secretaries of the military departments (or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy) for the purpose of vetting an enlistment or commission, or with regard to any member of the Armed Forces.

''(8) AUTHORIZATION FOR PERSON TO DISCLOSE OWN RECORD.—A person who is the subject of a juvenile record expunged under this section may choose to disclose the record.

''(9) TREATMENT AS SEALED RECORD DURING TRANSITION PERIOD.—During the 1-year period beginning on the date on which a court orders the expungement of a juvenile record under this section, paragraphs (3) and (4) of section 5044(c) shall apply with respect to the record as if the record had been sealed under that section.

''(d) LIMITATION RELATING TO SUBSEQUENT INCIDENTS.—

''(1) AFTER FILING AND BEFORE PETITION GRANTED.—If, after the date on which a person files an expungement petition with respect to a juvenile offense and before the court determines whether to grant the petition, the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings, the court shall deny the petition.

''(2) AFTER PETITION GRANTED.—If, on or after the date on which a court orders the expungement of a juvenile record of a person under subsection (b), the person is convicted of a crime, adjudicated delinquent for an act of juvenile delinquency, or engaged in active criminal court proceedings or juvenile delinquency proceedings—

''(A) the court that ordered the expungement shall—

''(i) vacate the order; and

''(ii) notify the person who is the subject of the juvenile record, and each entity or person described in subsection (c)(2)(A), that the order has been vacated; and

''(B) the record—

''(i) shall not be expunged; or

''(ii) if the record has been expunged because 1 year has elapsed since the date of the expungement order, shall not be treated as having been expunged.

''(e) INCLUSION OF STATE JUVENILE DELINQUENCY ADJUDICATIONS AND PROCEEDINGS.—For purposes of subparagraphs (A) and (B) of subsection (b)(1), subsection (b)(2)(C)(ix), and paragraphs (1) and (2) of subsection (d), the term 'juvenile delinquency' includes the violation of a law of a State committed by a person before attaining the age of 18 years which would have been a crime if committed by an adult.''.

(B) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 403 of title 18, United States Code, is amended by adding at the end the following:

''5044. Sealing.

''5045. Expungement.''.

(C) APPLICABILITY.—Sections 5044 and 5045 of title 18, United States Code, as added by subparagraph (A), shall apply with respect to a juvenile nonviolent offense (as defined in section 5031 of such title, as amended by paragraph (2)) that is committed or alleged to have been committed before, on, or after the date of enactment of this title.

(5) RULE OF CONSTRUCTION.—Nothing in the amendments made by this subsection shall be construed to authorize the sealing or expungement of a record of a criminal conviction of a juvenile who was proceeded against as an adult in a district court of the United States.

(c) ENSURING ACCURACY OF FEDERAL CRIMINAL RECORDS.—

(1) IN GENERAL.—Section 534 of title 28, United States Code, is amended by adding at the end the following:

''(g) ENSURING ACCURACY OF FEDERAL CRIMINAL RECORDS.—

''(1) DEFINITIONS.—

''(A) IN GENERAL.—In this subsection—

''(i) the term 'applicant' means the individual to whom a record sought to be exchanged pertains;

''(ii) the term 'high-risk, public trust position' means a position designated as a public trust position under section 731.106(b) of title 5, Code of Federal Regulations, or any successor regulation;

''(iii) the term 'incomplete', with respect to a record, means the record—

''(I) indicates that an individual was arrested but does not describe the offense for which the individual was arrested; or

''(II) indicates that an individual was arrested or criminal proceedings were instituted against an individual but does not include the final disposition of the arrest or of the proceedings if a final disposition has been reached;

''(iv) the term 'record' means a record or other information collected under this section that relates to—

''(I) an arrest by a Federal law enforcement officer; or

''(II) a Federal criminal proceeding;

''(v) the term 'reporting jurisdiction' means any person or entity that provides a record to the Attorney General under this section; and

''(vi) the term 'requesting entity'—

''(I) means a person or entity that seeks the exchange of a record for civil purposes that include employment, housing, credit, or any other type of application; and

''(II) does not include a law enforcement or intelligence agency that seeks the exchange of a record for—

''(aa) investigative purposes; or

''(bb) purposes relating to law enforcement employment.

''(B) RULE OF CONSTRUCTION.—The definition of the term 'requesting entity' under subparagraph (A) shall not be construed to authorize access to records that is not otherwise authorized by law.

''(2) INCOMPLETE OR INACCURATE RECORDS.—The Attorney General shall establish and enforce procedures to ensure the prompt release of accurate records exchanged for employment-related purposes through the records system created under this section.

''(3) REQUIRED PROCEDURES.—The procedures established under paragraph (2) shall include the following:

''(A) INACCURATE RECORD OR INFORMATION.—If the Attorney General determines that a record is inaccurate, the Attorney General shall promptly correct the record, including by making deletions to the record if appropriate.

''(B) INCOMPLETE RECORD.—

''(i) IN GENERAL.—If the Attorney General determines that a record is incomplete or cannot be verified, the Attorney General—

''(I) shall attempt to complete or verify the record; and

''(II) if unable to complete or verify the record, may promptly make any changes or deletions to the record.

''(ii) LACK OF DISPOSITION OF ARREST.—For purposes of this subparagraph, an incomplete record includes a record that indicates there was an arrest and does not include the disposition of the arrest.

''(iii) OBTAINING DISPOSITION OF ARREST.—If the Attorney General determines that a record is an incomplete record described in clause (ii), the Attorney General shall, not later than 10 days after the date on which the requesting entity requests the exchange and before the exchange is made, obtain the disposition (if any) of the arrest.

''(C) NOTIFICATION OF REPORTING JURISDICTION.—The Attorney General shall notify each appropriate reporting jurisdiction of any action taken under subparagraph (A) or (B).

''(D) OPPORTUNITY TO REVIEW RECORDS BY APPLICANT.—In connection with an exchange of a record under this section, the Attorney General shall—

''(i) notify the applicant that the applicant can obtain a copy of the record as described in clause (ii) if the applicant demonstrates a reasonable basis for the applicant's review of the record;

''(ii) provide to the applicant an opportunity, upon request and in accordance with clause (i), to—

''(I) obtain a copy of the record; and

''(II) challenge the accuracy and completeness of the record;

''(iii) promptly notify the requesting entity of any such challenge;

''(iv) not later than 30 days after the date on which the challenge is made, complete an investigation of the challenge;

''(v) provide to the applicant the specific findings and results of that investigation;

''(vi) promptly make any changes or deletions to the records required as a result of the challenge; and

''(vii) report those changes to the requesting entity.

''(E) CERTAIN EXCHANGES PROHIBITED.—

''(i) IN GENERAL.—An exchange shall not include any record—

''(I) except as provided in clause (ii), about an arrest more than 2 years old as of the date of the request for the exchange, that does not also include a disposition (if any) of that arrest;

''(II) relating to an adult or juvenile nonserious offense of the sort described in section 20.32(b) of title 28, Code of Federal Regulations, as in effect on July 1, 2009; or

''(III) to the extent the record is not clearly an arrest or a disposition of an arrest.

''(ii) APPLICANTS FOR SENSITIVE POSITIONS.—The prohibition under clause (i)(I) shall not apply in the case of a background check that relates to—

''(I) law enforcement employment; or

''(II) any position that a Federal agency designates as a—

''(aa) national security position; or

''(bb) high-risk, public trust position.

''(4) FEES.—The Attorney General may collect a reasonable fee for an exchange of records for employment-related purposes through the records system created under this section to defray the costs associated with exchanges for those purposes, including any costs associated with the investigation of inaccurate or incomplete records.''.

(2) REGULATIONS ON REASONABLE PROCEDURES.—Not later than 1 year after the date of enactment of this title, the Attorney General shall issue regulations to carry out section 534(g) of title 28, United States Code, as added by paragraph (1).

(3) REPORT.—

(A) DEFINITION.—In this paragraph, the term ''record'' has the meaning given the term in subsection (g) of section 534 of title 28, United States Code, as added by paragraph (1).

(B) REPORT REQUIRED.—Not later than 2 years after the date of enactment of this title, the Attorney General shall submit to Congress a report on the implementation of subsection (g) of section 534 of title 28, United States Code, as added by paragraph (1), that includes—

(i) the number of exchanges of records for employment-related purposes made with entities in each State through the records system created under such section 534;

(ii) any prolonged failure of a Federal agency to comply with a request by the Attorney General for information about dispositions of arrests; and

(iii) the numbers of successful and unsuccessful challenges to the accuracy and completeness of records, organized by the Federal agency from which each record originated.

SA 2134. Mr. DURBIN (for himself, Mr. WARNOCK, Mr. BOOKER, Mr. BLUMENTHAL, Ms. BUTLER, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE [_____]—JOHN R. LEWIS VOTING RIGHTS ADVANCEMENT ACT OF 2024

SECTION [__01]. SHORT TITLE.

This title may be cited as the ''John R. Lewis Voting Rights Advancement Act of 2024''.

Subtitle A—Amendments to the Voting Rights Act

SEC. [__02]. VOTE DILUTION, DENIAL, AND ABRIDGMENT CLAIMS.

(a) IN GENERAL.—Section 2(a) of the Voting Rights Act of 1965 (52 U.S.C. 10301(a)) is amended—

(1) by inserting after ''applied by any State or political subdivision'' the following: ''for the purpose of, or''; and

(2) by striking ''as provided in subsection (b)'' and inserting ''as provided in subsection (b), (c), (d), or (e)''.

(b) VOTE DILUTION.—Section 2 of such Act (52 U.S.C. 10301), as amended by subsection (a), is further amended by striking subsection (b) and inserting the following:

''(b) A violation of subsection (a) for vote dilution is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: *Provided*, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population. The legal standard articulated in Thornburg v. Gingles, 478 U.S. 30 (1986), governs claims under this subsection. For purposes of this subsection a class of citizens protected by subsection (a) may include a cohesive coalition of members of different racial or language minority groups.''.

(c) VOTE DENIAL OR ABRIDGEMENT.—Section 2 of such Act (52 U.S.C. 10301), as amended by subsections (a) and (b), is further amended by adding at the end the following:

''(c)(1) A violation of subsection (a) for vote denial or abridgment is established if the challenged standard, practice, or procedure imposes a discriminatory burden on members of a class of citizens protected by subsection (a), meaning that—

''(A) members of the protected class face greater difficulty in complying with the standard, practice, or procedure, considering the totality of the circumstances; and

''(B) such greater difficulty is, at least in part, caused by or linked to social and historical conditions that have produced or currently produce discrimination against members of the protected class.

''(2) The challenged standard, practice, or procedure need only be a but-for cause of the discriminatory burden or perpetuate a preexisting discriminatory burden.

''(3)(A) The totality of the circumstances for consideration relative to a violation of subsection (a) for vote denial or abridgment shall include the following factors, which, individually and collectively, show how a voting standard, practice, or procedure can function to amplify the effects of past or present racial discrimination:

''(i) The history of official voting-related discrimination in the State or political subdivision.

''(ii) The extent to which voting in the elections of the State or political subdivision is racially polarized.

''(iii) The extent to which the State or political subdivision has used unduly burdensome photographic voter identification requirements, documentary proof of citizenship requirements, documentary proof of residence requirements, or other voting standards, practices, or procedures beyond those required by Federal law that may impair the ability of members of the protected class to participate fully in the political process.

''(iv) The extent to which members of the protected class bear the effects of discrimination in areas such as education, employment, and health, which hinder the ability of those members to participate effectively in the political process.

''(v) The use of overt or subtle racial appeals either in political campaigns or surrounding the adoption or maintenance of the challenged standard, practice, or procedure.

''(vi) The extent to which members of the protected class have been elected to public office in the jurisdiction, except that the fact that the protected class is too small to elect candidates of its choice shall not defeat a claim of vote denial or abridgment under this section.

''(vii) Whether there is a lack of responsiveness on the part of elected officials to the particularized needs of members of the protected class.

''(viii) Whether the policy underlying the State or political subdivision's use of the challenged qualification, prerequisite, standard, practice, or procedure has a tenuous connection to that qualification, prerequisite, standard, practice, or procedure.

''(B) A particular combination or number of factors under subparagraph (A) shall not be required to establish a violation of subsection (a) for vote denial or abridgment.

''(C) The totality of the circumstances for consideration relative to a violation of subsection (a) for vote denial or abridgment shall not include the following factors:

''(i) The total number or share of members of a protected class on whom a challenged standard, practice, or procedure does not impose a material burden.

''(ii) The degree to which the challenged standard, practice, or procedure has a long pedigree or was in widespread use at some earlier date.

''(iii) The use of an identical or similar standard, practice, or procedure in other States or political subdivisions.

''(iv) The availability of other forms of voting unimpacted by the challenged standard, practice, or procedure to all members of the electorate, including members of the protected class, unless the State or political subdivision is simultaneously expanding those other standards, practices, or procedures to eliminate any disproportionate burden imposed by the challenged standard, practice, or procedure.

''(v) A prophylactic impact on potential criminal activity by individual voters, if such crimes have not occurred in the State or political subdivision in substantial numbers.

''(vi) Mere invocation of interests in voter confidence or prevention of fraud.''.

(d) INTENDED VOTE DILUTION OR VOTE DENIAL OR ABRIDGMENT.—Section 2 of such Act (52 U.S.C. 10301), as amended by subsections (a), (b), and (c) is further amended by adding at the end the following:

''(d)(1) A violation of subsection (a) is also established if a challenged qualification, prerequisite, standard, practice, or procedure is intended, at least in part, to dilute the voting strength of a protected class or to deny or abridge the right of any citizen of the United States to vote on account of race, color, or in contravention of the guarantees set forth in section 4(f)(2).

''(2) Discrimination on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2), need only be one purpose of a qualification, prerequisite, standard, practice, or procedure in order to establish a violation of subsection (a), as described in this subsection. A qualification, prerequisite, standard, practice, or procedure intended to dilute the voting strength of a protected class or to make it more difficult for members of a protected class to cast a ballot that will be counted constitutes a violation of subsection (a), as described in this subsection, even if an additional purpose of the qualification, prerequisite, standard, practice, or procedure is to benefit a particular political party or group.

''(3) Recent context, including actions by official decisionmakers in prior years or in other contexts preceding the decision responsible for the challenged qualification, prerequisite, standard, practice, or procedure, and including actions by predecessor government actors or individual members of a decisionmaking body, may be relevant to making a determination about a violation of subsection (a), as described under this subsection.

''(4) A claim that a violation of subsection (a) has occurred, as described under this subsection, shall require proof of a discriminatory impact but shall not require proof of violation of subsection (b) or (c).''.

SEC. [__03]. RETROGRESSION.

Section 2 of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), as amended by section **[**__02**]** of this title, is further amended by adding at the end the following:

''(e) A violation of subsection (a) is established when a State or political subdivision enacts or seeks to administer any qualification or prerequisite to voting or standard, practice, or procedure with respect to voting in any election that has the purpose of or will have the effect of diminishing the ability of any citizens of the United States on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2), to participate in the electoral process or elect their preferred candidates of choice. This subsection applies to any action taken on or after January 1, 2021, by a State or political subdivision to enact or seek to administer any such qualification or prerequisite to voting or standard, practice or procedure.

''(f) Notwithstanding the provisions of subsection (e), final decisions of the United States District Court of the District of Columbia on applications or petitions by States or political subdivisions for preclearance under section 5 of any changes in voting prerequisites, standards, practices, or procedures, supersede the provisions of subsection (e).''.

SEC. [__04]. VIOLATIONS TRIGGERING AUTHORITY OF COURT TO RETAIN JURISDICTION.

(a) TYPES OF VIOLATIONS.—Section 3(c) of the Voting Rights Act of 1965 (52 U.S.C. 10302(c)) is amended by striking ''violations of the fourteenth or fifteenth amendment'' and inserting ''violations of the 14th or 15th Amendment, violations of this Act, or violations of any Federal law that prohibits discrimination in voting on the basis of race, color, or membership in a language minority group,''.

(b) CONFORMING AMENDMENT.—Section 3(a) of such Act (52 U.S.C. 10302(a)) is amended by striking ''violations of the fourteenth or fifteenth amendment'' and inserting ''violations of the 14th or 15th Amendment, violations of this Act, or violations of any Federal law that prohibits discrimination in voting on the basis of race, color, or membership in a language minority group,''.

SEC. [__05]. CRITERIA FOR COVERAGE OF STATES AND POLITICAL SUBDIVISIONS.

(a) DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO SECTION 4(a).—

(1) IN GENERAL.—Section 4(b) of the Voting Rights Act of 1965 (52 U.S.C. 10303(b)) is amended to read as follows:

''(b) DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO REQUIREMENTS.—

''(1) EXISTENCE OF VOTING RIGHTS VIOLATIONS DURING PREVIOUS 25 YEARS.—

''(A) STATEWIDE APPLICATION.—Subsection (a) applies with respect to a State and all political subdivisions within the State during a calendar year if—

''(i) fifteen or more voting rights violations occurred in the State during the previous 25 calendar years; or

''(ii) ten or more voting rights violations occurred in the State during the previous 25 calendar years, at least one of which was committed by the State itself (as opposed to a political subdivision within the State).

''(B) APPLICATION TO SPECIFIC POLITICAL SUBDIVISIONS.—Subsection (a) applies with respect to a political subdivision as a separate unit during a calendar year if three or more voting rights violations occurred in the subdivision during the previous 25 calendar years.

''(2) PERIOD OF APPLICATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), if, pursuant to paragraph (1), subsection (a) applies with respect to a State or political subdivision during a calendar year, subsection (a) shall apply with respect to such State or political subdivision for the period—

''(i) that begins on January 1 of the year in which subsection (a) applies; and

''(ii) that ends on the date which is 10 years after the date described in clause (i).

''(B) NO FURTHER APPLICATION AFTER DECLARATORY JUDGMENT.—

''(i) STATES.—If a State obtains a declaratory judgment under subsection (a), and the judgment remains in effect, subsection (a) shall no longer apply to such State and all political subdivisions in the State pursuant to paragraph (1)(A) unless, after the issuance of the declaratory judgment, paragraph (1)(A) applies to the State solely on the basis of voting rights violations occurring after the issuance of the declaratory judgment.

''(ii) POLITICAL SUBDIVISIONS.—If a political subdivision obtains a declaratory judgment under subsection (a), and the judgment remains in effect, subsection (a) shall no longer apply to such political subdivision pursuant to paragraph (1), including pursuant to paragraph (1)(A) (relating to the statewide application of subsection (a)), unless, after the issuance of the declaratory judgment, paragraph (1)(B) applies to the political subdivision solely on the basis of voting rights violations occurring after the issuance of the declaratory judgment.

''(3) DETERMINATION OF VOTING RIGHTS VIOLATION.—For purposes of paragraph (1), a voting rights violation occurred in a State or political subdivision if any of the following applies:

''(A) JUDICIAL RELIEF; VIOLATION OF THE 14TH OR 15TH AMENDMENT.—Any final judgment (that was not reversed on appeal) occurred, in which the plaintiff prevailed and in which any court of the United States determined that a denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group occurred, or that a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting created an undue burden on the right to vote in connection with a claim that the law unduly burdened voters of a particular race, color, or language minority group, in violation of the 14th or 15th Amendment to the Constitution of the United States, anywhere within the State or subdivision.

''(B) JUDICIAL RELIEF; VIOLATIONS OF THIS ACT.—Any final judgment (that was not reversed on appeal) occurred in which the plaintiff prevailed and in which any court of the United States determined that a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting was imposed or applied or would have been imposed or applied anywhere within the State or subdivision in a manner that resulted or would have resulted in a denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group, in violation of subsection (e) or (f) or section 2, 201, or 203.

''(C) FINAL JUDGMENT; DENIAL OF DECLARATORY JUDGMENT.—In a final judgment (that was not been reversed on appeal), any court of the United States has denied the request of the State or subdivision for a declaratory judgment under section 3(c) or section 5, and thereby prevented a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting from being enforced anywhere within the State or subdivision.

''(D) OBJECTION BY THE ATTORNEY GENERAL.—The Attorney General has interposed an objection under section 3(c) or section 5, and thereby prevented a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting from being enforced anywhere within the State or subdivision. A violation under this subparagraph has not occurred where an objection has been withdrawn by the Attorney General, unless the withdrawal was in response to a change in the law or practice

that served as the basis of the objection. A violation under this subparagraph has not occurred where the objection is based solely on a State or political subdivision's failure to comply with a procedural process that would not otherwise count as an independent violation of this Act.

''(E) CONSENT DECREE, SETTLEMENT, OR OTHER AGREEMENT.—

''(i) AGREEMENT.—A consent decree, settlement, or other agreement was adopted or entered by a court of the United States that contains an admission of liability by the defendants, which resulted in the alteration or abandonment of a voting practice anywhere in the territory of such State or subdivision that was challenged on the ground that the practice denied or abridged the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group in violation of subsection (e) or (f) or section 2, 201, or 203, or the 14th or 15th Amendment.

''(ii) INDEPENDENT VIOLATIONS.—A voluntary extension or continuation of a consent decree, settlement, or agreement described in clause (i) shall not count as an independent violation under this subparagraph. Any other extension or modification of such a consent decree, settlement, or agreement, if the consent decree, settlement, or agreement has been in place for ten years or longer, shall count as an independent violation under this subparagraph. If a court of the United States finds that a consent decree, settlement, or agreement described in clause (i) itself denied or abridged the right of any citizen of the United States to vote on account of race, color, or membership in a language minority group, violated subsection (e) or (f) or section 2, 201, or 203, or created an undue burden on the right to vote in connection with a claim that the consent decree, settlement, or other agreement unduly burdened voters of a particular race, color, or language minority group, that finding shall count as an independent violation under this subparagraph.

''(F) MULTIPLE VIOLATIONS.—Each instance in which a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting, including each redistricting plan, is found to be a violation by a court of the United States pursuant to subparagraph (A) or (B), or prevented from being enforced pursuant to subparagraph (C) or (D), or altered or abandoned pursuant to subparagraph (E) shall count as an independent violation under this paragraph. Within a redistricting plan, each violation under this paragraph found to discriminate against any group of voters based on race, color, or language minority group shall count as an independent violation under this paragraph.

''(4) TIMING OF DETERMINATIONS.—

''(A) DETERMINATIONS OF VOTING RIGHTS VIOLATIONS.—As early as practicable during each calendar year, the Attorney General shall make the determinations required by this subsection, including updating the list of voting rights violations occurring in each State and political subdivision for the previous calendar year.

''(B) EFFECTIVE UPON PUBLICATION IN FEDERAL REGISTER.—A determination or certification of the Attorney General under this section or under section 8 or 13 shall be effective upon publication in the Federal Register.''.

(2) CONFORMING AMENDMENTS.—Section 4(a) of such Act (52 U.S.C. 10303(a)) is amended—

(A) in paragraph (1), in the first sentence of the matter preceding subparagraph (A), by striking ''any State with respect to which'' and all that follows through ''unless'' and inserting ''any State to which this subsection applies during a calendar year pursuant to determinations made under subsection (b), or in any political subdivision of such State (as such subdivision existed on the date such determinations were made with respect to such State), though such determinations were not made with respect to such subdivision as a separate unit, or in any political subdivision with respect to which this subsection applies during a calendar year pursuant to determinations made with respect to such subdivision as a separate unit under subsection (b), unless'';

(B) in paragraph (1), in the matter preceding subparagraph (A), by striking the second sentence;

(C) in paragraph (1)(A), by striking ''(in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection)'';

(D) in paragraph (1)(B), by striking ''(in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection)'';

(E) in paragraph (3), by striking ''(in the case of a State or subdivision seeking a declaratory judgment under the second sentence of this subsection)'';

(F) in paragraph (5), by striking ''(in the case of a State or subdivision which sought a declaratory judgment under the second sentence of this subsection)'';

(G) by striking paragraphs (7) and (8); and

(H) by redesignating paragraph (9) as paragraph (7).

(b) CLARIFICATION OF TREATMENT OF MEMBERS OF LANGUAGE MINORITY GROUPS.—Section 4(a)(1) of such Act (52 U.S.C. 10303(a)(1)), as amended by subsection (a), is further amended, in the first sentence, by striking ''race or color,'' and inserting ''race or color, or in contravention of the guarantees of subsection (f)(2),''.

(c) FACILITATING BAILOUT.—Section 4(a) of the Voting Rights Act of 1965 (52 U.S.C. 10303(a)), as amended by subsection (a), is further amended—

(1) by striking paragraph (1)(C) and redesignating subparagraphs (D) through (F) as subparagraphs (C) through (E), respectively;

(2) by inserting at the beginning of paragraph (7), as redesignated by subsection (a)(2)(H), the following: ''Any plaintiff seeking a declaratory judgment under this subsection on the grounds that the plaintiff meets the requirements of paragraph (1) may request that the Attorney General consent to entry of judgment.''; and

(3) by adding at the end the following:

''(8) If a political subdivision is subject to the application of this subsection, due to the applicability of subsection (b)(1)(A), the political subdivision may seek a declaratory judgment under this section if the subdivision demonstrates that the subdivision meets the criteria established by the subparagraphs of paragraph (1), for the 10 years preceding the date on which subsection (a) applied to the political subdivision under subsection (b)(1)(A).

''(9) If a political subdivision was not subject to the application of this subsection by reason of a declaratory judgment entered prior to the date of enactment of the John R. Lewis Voting Rights Advancement Act of 2024, and is not, subsequent to that date of enactment, subject to the application of this subsection under subsection (b)(1)(B), then that political subdivision shall not be subject to the requirements of this subsection.''.

SEC. [__06]. DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO PRECLEARANCE FOR COVERED PRACTICES.

The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) is further amended by inserting after section 4 the following:

''SEC. 4A. DETERMINATION OF STATES AND POLITICAL SUBDIVISIONS SUBJECT TO PRECLEARANCE FOR COVERED PRACTICES.

''(a) PRACTICE-BASED PRECLEARANCE.—

''(1) IN GENERAL.—Each State and each political subdivision shall—

''(A) identify any newly enacted or adopted law, regulation, or policy that includes a voting qualification or prerequisite to voting, or a standard, practice, or procedure with respect to voting, that is a covered practice described in subsection (b); and

''(B) ensure that no such covered practice is implemented unless or until the State or political subdivision, as the case may be, complies with subsection (c).

''(2) DETERMINATIONS OF CHARACTERISTICS OF VOTING-AGE POPULATION.—

''(A) IN GENERAL.—As early as practicable during each calendar year, the Attorney General, in consultation with the Director of the Bureau of the Census and the heads of other relevant offices of the government, shall make the determinations required by this section regarding voting-age populations and the characteristics of such populations, and shall publish a list of the States and political subdivisions to which a voting-age population characteristic described in subsection (b) applies.

''(B) PUBLICATION IN THE FEDERAL REGISTER.—A determination (including a certification) of the Attorney General under this paragraph shall be effective upon publication in the Federal Register.

''(b) COVERED PRACTICES.—To assure that the right of citizens of the United States to vote is not denied or abridged on account of race, color, or membership in a language minority group as a result of the implementation of certain qualifications or prerequisites to voting, or standards, practices, or procedures with respect to voting, newly adopted in a State or political subdivision, the following shall be covered practices subject to the requirements described in subsection (a):

''(1) CHANGES TO METHOD OF ELECTION.—Any change to the method of election—

''(A) to add seats elected at-large in a State or political subdivision where—

''(i) two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population in the State or political subdivision, respectively; or

''(ii) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the State or political subdivision; or

''(B) to convert one or more seats elected from a single-member district to one or more at-large seats or seats from a multi-member district in a State or political subdivision where—

''(i) two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population in the State or political subdivision, respectively; or

''(ii) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the State or political subdivision.

''(2) CHANGES TO POLITICAL SUBDIVISION BOUNDARIES.—Any change or series of changes within a year to the boundaries of a political subdivision that reduces by 3 or more percentage points the percentage of the political subdivision's voting-age population that is comprised of members of a single racial group or language minority group in the political subdivision where—

''(A) two or more racial groups or language minority groups each represent 20 percent or more of the political subdivision's voting-age population; or

''(B) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the political subdivision.

''(3) CHANGES THROUGH REDISTRICTING.—Any change to the boundaries of districts for Federal, State, or local elections in a State or political subdivision where any racial group or language minority group that is not the largest racial group or language minority group in the jurisdiction and that represents 15 percent or more of the State or political subdivision's voting-age population experiences a population increase of at least 20 percent of its voting-age population, over the preceding decade (as calculated by the Bureau of the Census under the most recent decennial census), in the jurisdiction.

''(4) CHANGES IN DOCUMENTATION OR QUALIFICATIONS TO VOTE.—Any change to requirements for documentation or proof of identity to vote or register to vote in elections for Federal, State, or local offices that will exceed or be more stringent than such requirements under State law on the day before the date of enactment of the John R. Lewis Voting Rights Advancement Act of 2024.

''(5) CHANGES TO MULTILINGUAL VOTING MATERIALS.—Any change that reduces multilingual voting materials or alters the manner in which such materials are provided or distributed, where no similar reduction or alteration occurs in materials provided in English for such election.

''(6) CHANGES THAT REDUCE, CONSOLIDATE, OR RELOCATE VOTING LOCATIONS, OR REDUCE VOTING OPPORTUNITIES.—Any change that reduces, consolidates, or relocates voting locations in elections for Federal, State, or local office, including early, absentee, and election-day voting locations, or reduces days or hours of in-person voting on any Sunday during a period occurring prior to the date of an election for Federal, State, or local office during which voters may cast ballots in such election, or prohibits the provision of food or non-alcoholic drink to persons waiting to vote in an election for Federal, State, or local office, except where the provision would violate prohibitions on expenditures to influence voting, if the location change, reduction in days or hours, or prohibition applies—

''(A) in one or more census tracts in which two or more language minority groups or racial groups each represent 20 percent or more of the voting-age population; or

''(B) on Indian lands in which at least 20 percent of the voting-age population belongs to a single language minority group.

''(7) NEW LIST MAINTENANCE PROCESS.—Any change to the maintenance process for voter registration lists that adds a new basis for removal from the list of active voters registered to vote in elections for Federal, State, or local office, or that incorporates new sources of information in determining a voter's eligibility to vote in elections for Federal, State, or local office, if such a change would have a statistically significant disparate impact, concerning the removal from voter rolls, on members of racial groups or language minority groups that constitute greater than 5 percent of the voting-age population—

''(A) in the case of a political subdivision imposing such change if—

''(i) two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population of the political subdivision; or

''(ii) a single language minority group represents 20 percent or more of the voting-age population on Indian lands located in whole or in part in the political subdivision; or

''(B) in the case of a State imposing such change, if two or more racial groups or language minority groups each represent 20 percent or more of the voting-age population of—

''(i) the State; or

''(ii) a political subdivision in the State, except that the requirements under subsections (a) and (c) shall apply only with respect to each such political subdivision individually.

''(c) PRECLEARANCE.—

''(1) IN GENERAL.—

''(A) ACTION.—Whenever a State or political subdivision with respect to which the requirements set forth in subsection (a) are in effect shall enact, adopt, or seek to implement any covered practice described under subsection (b), such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such covered practice neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group, and unless and until the court enters such judgment such covered practice shall not be implemented.

''(B) SUBMISSION TO ATTORNEY GENERAL.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), such covered practice may be implemented without such proceeding if the covered practice has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within 60 days after such submission, or upon good cause shown, to facilitate an expedited approval within 60 days after such submission, the Attorney General has affirmatively indicated that such objection will not be made. For purposes of determining whether expedited consideration of approval is required under this subparagraph or section 5(a), an exigency such as a natural disaster, that requires a change in a voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting during the period of 30 days before a Federal election, shall be considered to be good cause requiring that expedited consideration.

''(ii) EFFECT OF INDICATION.—Neither an affirmative indication by the Attorney General that no objection will be made, nor the Attorney General's failure to object, nor a declaratory judgment entered under this subsection shall bar a subsequent action to enjoin implementation of such covered practice. In the event the Attorney General affirmatively indicates that no objection will be made within the 60-day period following receipt of a submission, the Attorney General may reserve the right to reexamine the submission if additional information comes to the Attorney General's attention during the remainder of the 60-day period which would otherwise require objection in accordance with this subsection.

''(C) COURT.—Any action under this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28, United States Code, and any appeal shall lie to the Supreme Court.

''(2) DENYING OR ABRIDGING THE RIGHT TO VOTE.—Any covered practice described in subsection (b) that has the purpose of or will have the effect of diminishing the ability of any citizens of the United States on account of race, color, or membership in a language minority group, to elect their preferred candidates of choice denies or abridges the right to vote within the meaning of paragraph (1).

''(3) PURPOSE DEFINED.—The term 'purpose' in paragraphs (1) and (2) shall include any discriminatory purpose.

''(4) PURPOSE OF PARAGRAPH (2).—The purpose of paragraph (2) is to protect the ability of such citizens to elect their preferred candidates of choice.

''(d) ENFORCEMENT.—The Attorney General or any aggrieved citizen may file an action in a district court of the United States to compel any State or political subdivision to satisfy the obligations set forth in this section. Such an action shall be heard and determined by a court of three judges under section 2284 of title 28, United States Code. In any such action, the court shall provide as a remedy that implementation of any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting, that is the subject of the action under this subsection be enjoined unless the court determines that—

''(1) the voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting, is not a covered practice described in subsection (b); or

''(2) the State or political subdivision has complied with subsection (c) with respect to the covered practice at issue.

''(e) COUNTING OF RACIAL GROUPS AND LANGUAGE MINORITY GROUPS.—For purposes of this section, the calculation of the population of a racial group or a language minority group shall be carried out using the methodology in the guidance of the Department of Justice entitled 'Guidance Concerning Redistricting Under Section 5 of the Voting Rights Act; Notice' (76 Fed. Reg. 7470 (February 9, 2011)).

''(f) SPECIAL RULE.—For purposes of determinations under this section, any data provided by the Bureau of the Census, whether based on estimation from a sample or actual enumeration, shall not be subject to challenge or review in any court.

''(g) MULTILINGUAL VOTING MATERIALS.—In this section, the term 'multilingual voting materials' means registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, provided in the language or languages of one or more language minority groups.''.

SEC. [__07]. PROMOTING TRANSPARENCY TO ENFORCE THE VOTING RIGHTS ACT.

(a) TRANSPARENCY.—The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) is amended by inserting after section 5 the following:

''SEC. 6. TRANSPARENCY REGARDING CHANGES TO PROTECT VOTING RIGHTS.

''(a) NOTICE OF ENACTED CHANGES.—

''(1) NOTICE OF CHANGES.—If a State or political subdivision makes any change in any qualification or prerequisite to voting or standard, practice, or procedure with respect to voting in any election for Federal office that will result in the qualification or prerequisite, standard, practice, or procedure being different from that which was in effect as of 180 days before the date of the election for Federal office, the State or political subdivision shall provide reasonable public notice in such State or political subdivision and on the website of the State or political subdivision, of a concise description of the change, including the difference between the changed qualification or prerequisite, standard, practice, or procedure and the qualification, prerequisite, standard, practice, or procedure which was previously in effect. The public notice described in this paragraph, in such State or political subdivision and on the website of a State or political subdivision, shall be in a format that is reasonably convenient and accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(2) DEADLINE FOR NOTICE.—A State or political subdivision shall provide the public notice required under paragraph (1) not later than 48 hours after making the change involved.

''(b) TRANSPARENCY REGARDING POLLING PLACE RESOURCES.—

''(1) IN GENERAL.—In order to identify any changes that may impact the right to vote of any person, prior to the 30th day before the date of an election for Federal office, each State or political subdivision with responsibility for allocating registered voters, voting machines, and official poll workers to particular precincts and polling places shall provide reasonable public notice in such State or political subdivision and on the website of a State or political subdivision, of the information described in paragraph (2) for precincts and polling places within such State or political subdivision. The public notice described in this paragraph, in such State or political subdivision and on the website of a State or political subdivision, shall be in a format that is reasonably convenient and accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph with respect to a precinct or polling place is each of the following:

''(A) The name or number.

''(B) In the case of a polling place, the location, including the street address, and whether such polling place is accessible to persons with disabilities.

''(C) The voting-age population of the area served by the precinct or polling place, broken down by demographic group if such breakdown is reasonably available to such State or political subdivision.

''(D) The number of registered voters assigned to the precinct or polling place, broken down by demographic group if such breakdown is reasonably available to such State or political subdivision.

''(E) The number of voting machines assigned, including the number of voting machines accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(F) The number of official paid poll workers assigned.

''(G) The number of official volunteer poll workers assigned.

''(H) In the case of a polling place, the dates and hours of operation.

''(3) UPDATES IN INFORMATION REPORTED.—If a State or political subdivision makes any change in any of the information described in paragraph (2), the State or political subdivision shall provide reasonable public notice in such State or political subdivision and on the website of a State or political subdivision, of the change in the information not later than 48 hours after the change occurs or, if the change occurs fewer than 48 hours before the date of the election for Federal office, as soon as practicable after the change occurs. The public notice described in this paragraph and published on the website of a State or political subdivision shall be in a format that is reasonably convenient and accessible to persons with disabilities who are eligible to vote, including persons who have low vision or are blind.

''(c) TRANSPARENCY OF CHANGES RELATING TO DEMOGRAPHICS AND ELECTORAL DISTRICTS.—

''(1) REQUIRING PUBLIC NOTICE OF CHANGES.—Not later than 10 days after making any change in the constituency that will participate in an election for Federal, State, or local office or the boundaries of a voting unit or electoral district in an election for Federal, State, or local office (including through redistricting, reapportionment, changing from at-large elections to district-based elections, or changing from district-based elections to at-large elections), a State or political subdivision shall provide reasonable public notice in such State or political subdivision and on the website of a State or political subdivision, of the demographic and electoral data described in paragraph (3) for each of the geographic areas described in paragraph (2).

''(2) GEOGRAPHIC AREAS DESCRIBED.—The geographic areas described in this paragraph are as follows:

''(A) The State as a whole, if the change applies statewide, or the political subdivision as a whole, if the change applies across the entire political subdivision.

''(B) If the change includes a plan to replace or eliminate voting units or electoral districts, each voting unit or electoral district that will be replaced or eliminated.

''(C) If the change includes a plan to establish new voting units or electoral districts, each such new voting unit or electoral district.

''(3) DEMOGRAPHIC AND ELECTORAL DATA.—The demographic and electoral data described in this paragraph with respect to a geographic area described in paragraph (2) are each of the following:

''(A) The voting-age population, broken down by demographic group.

''(B) The number of registered voters, broken down by demographic group if such breakdown is reasonably available to the State or political subdivision involved.

''(C)(i) If the change applies to a State, the actual number of votes, or (if it is not reasonably practicable for the State to ascertain the actual number of votes) the estimated number of votes received by each candidate in each statewide election held during the 5-year period which ends on the date the change involved is made; and

''(ii) if the change applies to only one political subdivision, the actual number of votes, or (if it is not reasonably practicable for the political subdivision to ascertain the actual number of votes) the estimated number of votes in each subdivision-wide election held during the 5-year period which ends on the date the change involved is made.

''(4) VOLUNTARY COMPLIANCE BY SMALLER JURISDICTIONS.—Compliance with this subsection shall be voluntary for a political subdivision of a State unless the subdivision is one of the following:

''(A) A county or parish.

''(B) A municipality with a population greater than 10,000, as determined by the Bureau of the Census under the most recent decennial census.

''(C) A school district with a population greater than 10,000, as determined by the Bureau of the Census under the most recent decennial census. For purposes of this subparagraph, the term 'school district' means the geographic area under the jurisdiction of a local educational agency (as defined in section 8101 of the Elementary and Secondary Education Act of 1965).

''(d) RULES REGARDING FORMAT OF INFORMATION.—The Attorney General may issue rules specifying a reasonably convenient and accessible format that States and political subdivisions shall use to provide public notice of information under this section.

''(e) NO DENIAL OF RIGHT TO VOTE.—The right to vote of any person shall not be denied or abridged because the person failed to comply with any change made by a State or political subdivision to a voting qualification, prerequisite, standard, practice, or procedure if the State or political subdivision involved did not meet the applicable requirements of this section with respect to the change.

''(f) DEFINITIONS.—In this section—

''(1) the term 'demographic group' means each group which section 2 protects from the denial or abridgement of the right to vote on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2);

''(2) the term 'election for Federal office' means any general, special, primary, or runoff election held solely or in part for the purpose of electing any candidate for the office of President, Vice President, Presidential elector, Senator, Member of the House of Representatives, or Delegate or Resident Commissioner to the Congress; and

''(3) the term 'persons with disabilities', means individuals with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(1) shall apply with respect to changes which are made on or after the expiration of the 60-day period which begins on the date of the enactment of this Act.

SEC. [__08]. AUTHORITY TO ASSIGN OBSERVERS.

(a) CLARIFICATION OF AUTHORITY IN POLITICAL SUBDIVISIONS SUBJECT TO PRECLEARANCE.—Section 8(a)(2)(B) of the Voting Rights Act of 1965 (52 U.S.C. 10305(a)(2)(B)) is amended to read as follows:

''(B) in the Attorney General's judgment, the assignment of observers is otherwise necessary to enforce the guarantees of the 14th or 15th Amendment or any provision of this Act or any other Federal law protecting the right of citizens of the United States to vote; or''.

(b) ASSIGNMENT OF OBSERVERS TO ENFORCE BILINGUAL ELECTION REQUIREMENTS.—Section 8(a) of such Act (52 U.S.C. 10305(a)) is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by inserting after paragraph (2) the following:

''(3) the Attorney General certifies with respect to a political subdivision that—

''(A) the Attorney General has received written meritorious complaints from residents, elected officials, or civic participation organizations that efforts to violate section 203 are likely to occur; or

''(B) in the Attorney General's judgment, the assignment of observers is necessary to enforce the guarantees of section 203;''; and

(3) by moving the margin for the continuation text following paragraph (3), as added by paragraph (2) of this subsection, 2 ems to the left.

(c) TRANSFERRAL OF AUTHORITY OVER OBSERVERS TO THE ATTORNEY GENERAL.—

(1) ENFORCEMENT PROCEEDINGS.—Section 3(a) of the Voting Rights Act of 1965 (52 U.S.C. 10302(a)) is amended by striking ''United States Civil Service Commission in accordance with section 6'' and inserting ''Attorney General in accordance with section 8''.

(2) OBSERVERS; APPOINTMENT AND COMPENSATION.—Section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) is amended—

(A) in subsection (a), in the flush matter at the end, by striking ''Director of the Office of Personnel Management shall assign as many observers for such subdivision as the Director'' and inserting ''Attorney General shall assign as many observers for such subdivision as the Attorney General'';

(B) in subsection (c), by striking ''Director of the Office of Personnel Management'' and inserting ''Attorney General''; and

(C) in subsection (c), by adding at the end the following: ''The Director of the Office of Personnel Management may, with the consent of the Attorney General, assist in the selection, recruitment, hiring, training, or deployment of these or other individuals authorized by the Attorney General for the purpose of observing whether persons who are entitled to vote are being permitted to vote and whether those votes are being properly tabulated.''.

(3) TERMINATION OF CERTAIN APPOINTMENTS OF OBSERVERS.—Section 13(a)(1) of the Voting

Rights Act of 1965 (52 U.S.C. 10309(a)(1)) is amended by striking ''notifies the Director of the Office of Personnel Management,'' and inserting ''determines,''.

SEC. [__09]. CLARIFICATION OF AUTHORITY TO SEEK RELIEF.

(a) POLL TAX.—Section 10(b) of the Voting Rights Act of 1965 (52 U.S.C. 10306(b)) is amended by striking ''the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions,'' and inserting ''an aggrieved person or (in the name of the United States) the Attorney General may institute such actions''.

(b) CAUSE OF ACTION.—Section 12(d) of the Voting Rights Act of 1965 (52 U.S.C. 10308(d)) is amended to read as follows:

''(d)(1) Whenever there are reasonable grounds to believe that any person has engaged in, or is about to engage in, any act or practice that would (1) deny any citizen the right to register, to cast a ballot, or to have that ballot counted properly and included in the appropriate totals of votes cast in violation of the 14th, 15th, 19th, 24th, or 26th Amendments to the Constitution of the United States, (2) violate subsection (a) or (b) of section 11, or (3) violate any other provision of this Act or any other Federal voting rights law that prohibits discrimination on the basis of race, color, or membership in a language minority group, an aggrieved person or (in the name of the United States) the Attorney General may institute an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other appropriate order. Nothing in this subsection shall be construed to create a cause of action for civil enforcement of criminal provisions of this or any other Act.''.

(c) JUDICIAL RELIEF.—Section 204 of the Voting Rights Act of 1965 (52 U.S.C. 10504) is amended by striking the first sentence and inserting the following: ''Whenever there are reasonable grounds to believe that a State or political subdivision has engaged or is about to engage in any act or practice prohibited by a provision of this subtitle, an aggrieved person or (in the name of the United States) the Attorney General may institute an action in a district court of the United States, for a restraining order, a preliminary or permanent injunction, or such other order as may be appropriate.''.

(d) ENFORCEMENT OF TWENTY-SIXTH AMENDMENT.—Section 301(a)(1) of the Voting Rights Act of 1965 (52 U.S.C. 10701(a)(1)) is amended to read as follows:

''(a)(1) An aggrieved person or (in the name of the United States) the Attorney General may institute an action in a district court of the United States, for a restraining order, a preliminary or permanent injunction, or such other order as may be appropriate to implement the 26th Amendment to the Constitution of the United States.''.

SEC. [__10]. PREVENTIVE RELIEF.

Section 12(d) of the Voting Rights Act of 1965 (52 U.S.C. 10308(d)), as amended by section [__09], is further amended by adding at the end the following:

''(2)(A) In considering any motion for preliminary relief in any action for preventive relief described in this subsection, the court shall grant the relief if the court determines that the complainant has raised a serious question as to whether the challenged voting qualification or prerequisite to voting or standard, practice, or procedure violates any of the provisions listed in section [__12(a)(1)] of the John R. Lewis Voting Rights Advancement Act of 2024 and, on balance, the hardship imposed on the defendant by the grant of the relief will be less than the hardship which would be imposed on the plaintiff if the relief were not granted.

''(B) In making its determination under this paragraph with respect to a change in any voting qualification, prerequisite to voting, or standard, practice, or procedure with respect to voting, the court shall consider all relevant factors and give due weight to the following factors, if they are present:

''(i) Whether the qualification, prerequisite, standard, practice, or procedure in effect prior to the change was adopted as a remedy for a Federal court judgment, consent decree, or admission regarding—

''(I) discrimination on the basis of race or color in violation of the 14th or 15th Amendment to the Constitution of the United States;

''(II) a violation of the 19th, 24th, or 26th Amendments to the Constitution of the United States;

''(III) a violation of this Act; or

''(IV) voting discrimination on the basis of race, color, or membership in a language minority group in violation of any other Federal or State law.

''(ii) Whether the qualification, prerequisite, standard, practice, or procedure in effect prior to the change served as a ground for the dismissal or settlement of a claim alleging—

''(I) discrimination on the basis of race or color in violation of the 14th or 15th Amendment to the Constitution of the United States;

''(II) a violation of the 19th, 24th, or 26th Amendment to the Constitution of the United States;

''(III) a violation of this Act; or

''(IV) voting discrimination on the basis of race, color, or membership in a language minority group in violation of any other Federal or State law.

''(iii) Whether the change was adopted fewer than 180 days before the date of the election with respect to which the change is to take or takes effect.

''(iv) Whether the defendant has failed to provide timely or complete notice of the adoption of the change as required by applicable Federal or State law.

''(3) A jurisdiction's inability to enforce its voting or election laws, regulations, policies, or redistricting plans, standing alone, shall not be deemed to constitute irreparable harm to the public interest or to the interests of a defendant in an action arising under the Constitution or any Federal law that prohibits discrimination on the basis of race, color, or membership in a language minority group in the voting process, for the purposes of determining whether a stay of a court's order or an interlocutory appeal under section 1253 of title 28, United States Code, is warranted.''.

SEC. [__11]. BILINGUAL ELECTION REQUIREMENTS.

Section 203(b)(1) of the Voting Rights Act of 1965 (52 U.S.C. 10503(b)(1)) is amended by striking ''2032'' and inserting ''2037''.

SEC. [__12]. RELIEF FOR VIOLATIONS OF VOTING RIGHTS LAWS.

(a) IN GENERAL.—

(1) RELIEF FOR VIOLATIONS OF VOTING RIGHTS LAWS.—In this section, the term ''prohibited act or practice'' means—

(A) any act or practice—

(i) that creates an undue burden on the fundamental right to vote in violation of the 14th Amendment to the Constitution of the United States or violates the Equal Protection Clause of the 14th Amendment to the Constitution of the United States; or

(ii) that is prohibited by the 15th, 19th, 24th, or 26th Amendment to the Constitution of the United States, section 2004 of the Revised Statutes (52 U.S.C. 10101), the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.), the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.), the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.), the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20101 et seq.), or section 2003 of the Revised Statutes (52 U.S.C. 10102); and

(B) any act or practice in violation of any Federal law that prohibits discrimination with respect to voting, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to diminish the authority or scope of authority of any person to bring an action under any Federal law.

(3) ATTORNEY'S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by inserting ''a provision described in section [__12(a)(1)] of the John R. Lewis Voting Rights Advancement Act of 2024,'' after ''title VI of the Civil Rights Act of 1964,''.

(b) GROUNDS FOR EQUITABLE RELIEF.—In any action for equitable relief pursuant to a law listed under subsection (a), proximity of the action to an election shall not be a valid reason to deny such relief, or stay the operation of or vacate the issuance of such relief, unless the party opposing the issuance or continued operation of relief meets the burden of proving by clear and convincing evidence that the issuance of the relief would be so close in time to the election as to cause irreparable harm to the public interest or that compliance with such relief would impose serious burdens on the party opposing relief.

(1) IN GENERAL.—In considering whether to grant, deny, stay, or vacate any order of equitable relief, the court shall give substantial weight to the public's interest in expanding access to the right to vote. A State's generalized interest in enforcing its enacted laws shall not be a relevant consideration in determining whether equitable relief is warranted.

(2) PRESUMPTIVE SAFE HARBOR.—Where equitable relief is sought either within 30 days of the adoption or reasonable public notice of the challenged policy or practice, or more than 45 days before the date of an election to which the relief being sought will apply, proximity to the election will be presumed not to constitute a harm to the public interest or a burden on the party opposing relief.

(c) GROUNDS FOR STAY OR VACATUR IN FEDERAL CLAIMS INVOLVING VOTING RIGHTS.—

(1) PROSPECTIVE EFFECT.—In reviewing an application for a stay or vacatur of equitable relief granted pursuant to a law listed in subsection (a), a court shall give substantial weight to the reliance interests of citizens who acted pursuant to such order under review. In fashioning a stay or vacatur, a reviewing court shall not order relief that has the effect of denying or abridging the right to vote of any citizen who has acted in reliance on the order.

(2) WRITTEN EXPLANATION.—No stay or vacatur under this subsection shall issue unless the reviewing court makes specific findings that the public interest, including the public's interest in expanding access to the ballot, will be harmed by the continuing operation of the equitable relief or that compliance with such relief will impose serious burdens on the party seeking such a stay or vacatur such that those burdens substantially outweigh the benefits to the public interest. In reviewing an application for a stay or vacatur of equitable relief, findings of fact made in issuing the order under review shall not be set aside unless clearly erroneous.

SEC. [__13]. PROTECTION OF TABULATED VOTES.

The Voting Rights Act of 1965 (52 U.S.C. 10307) is amended—

(1) in section 11—

(A) by amending subsection (a) to read as follows:

''(a) No person acting under color of law shall—

''(1) fail or refuse to permit any person to vote who is entitled to vote under Federal law or is otherwise qualified to vote;

''(2) willfully fail or refuse to tabulate, count, and report such person's vote; or

''(3) willfully fail or refuse to certify the aggregate tabulations of such persons' votes or certify the election of the candidates receiving sufficient such votes to be elected to office.''; and

(B) in subsection (b), by inserting ''subsection (a) or'' after ''duties under''; and

(2) in section 12—

(A) in subsection (b)—

(i) by striking ''a year following an election in a political subdivision in which an observer has been assigned'' and inserting ''22 months following an election for Federal office''; and

(ii) by adding at the end the following: ''Whenever the Attorney General has reasonable grounds to believe that any person has engaged in or is about to engage in an act in violation of this subsection, the Attorney General may institute (in the name of the United States) a civil action in Federal district court seeking appropriate relief.'';

(B) in subsection (c), by inserting ''or solicits a violation of'' after ''conspires to violate''; and

(C) in subsection (e), by striking the first and second sentences and inserting the following: ''If, after the closing of the polls in an election for Federal office, persons allege that notwithstanding (1) their registration by an appropriate election official and (2) their eligibility to vote in the political subdivision, their ballots have not been counted in such election, and if upon prompt receipt of notifications of these allegations, the Attorney General finds such allegations to be well founded, the Attorney General may forthwith file with the district court an application for an order providing for the counting and certification of the ballots of such persons and requiring the inclusion of their votes in the total vote for all applicable offices before the results of such election shall be deemed final and any force or effect given thereto.''.

SEC. [__14]. ENFORCEMENT OF VOTING RIGHTS BY ATTORNEY GENERAL.

Section 12 of the Voting Rights Act of 1965 (52 U.S.C. 10308), as amended by this title, is further amended by adding at the end the following:

''(g) VOTING RIGHTS ENFORCEMENT BY ATTORNEY GENERAL.—

''(1) IN GENERAL.—In order to fulfill the Attorney General's responsibility to enforce this Act and other Federal laws that protect the right to vote, the Attorney General (or upon designation by the Attorney General, the Assistant Attorney General for Civil Rights) is authorized, before commencing a civil action, to issue a demand for inspection and information in writing to any State or political subdivision, or other governmental representative or agent, with respect to any relevant documentary material that the Attorney General has reason to believe is within their possession, custody, or control. A demand by the Attorney General under this subsection may require—

''(A) the production of such documentary material for inspection and copying;

''(B) answers in writing to written questions with respect to such documentary material; or

''(C) both the production described under subparagraph (A) and the answers described under subparagraph (B).

''(2) CONTENTS OF AN ATTORNEY GENERAL DEMAND.—

''(A) IN GENERAL.—Any demand issued under paragraph (1), shall include a sworn certificate to identify the voting qualification or prerequisite to voting or standard, practice, or procedure with respect to voting, or other voting related matter or issue, whose lawfulness the Attorney General is investigating and to identify the Federal law that protects the right to vote under which the investigation is being conducted. The demand shall be reasonably calculated to lead to the discovery of documentary material and information relevant to such investigation. Documentary material includes any material upon which relevant information is recorded, and includes written or printed materials, photographs, tapes, or materials upon which information is electronically or magnetically recorded. Such demands shall be aimed at the Attorney General having the ability to inspect and obtain copies of relevant materials (as well as obtain information) related to voting and are not aimed at the Attorney General taking possession of original records, particularly those that are required to be retained by State and local election officials under Federal or State law.

''(B) NO REQUIREMENT FOR PRODUCTION.—Any demand issued under paragraph (1) may not require the production of any documentary material or the submission of any answers in writing to written questions if such material or answers would be protected from disclosure under the standards applicable to discovery requests under the Federal Rules of Civil Procedure in an action in which the Attorney General or the United States is a party.

''(C) DOCUMENTARY MATERIAL.—If the demand issued under paragraph (1) requires the production of documentary material, it shall—

''(i) identify the class of documentary material to be produced with such definiteness and certainty as to permit such material to be fairly identified; and

''(ii) prescribe a return date for production of the documentary material at least 20 days after issuance of the demand to give the State or political subdivision, or other governmental representative or agent, a reasonable period of time for assembling the documentary material and making it available for inspection and copying.

''(D) ANSWERS TO WRITTEN QUESTIONS.—If the demand issued under paragraph (1) requires answers in writing to written questions, it shall—

''(i) set forth with specificity the written question to be answered; and

''(ii) prescribe a date at least 20 days after the issuance of the demand for submitting answers in writing to the written questions.

''(E) SERVICE.—A demand issued under paragraph (1) may be served by a United States marshal or a deputy marshal, or by certified mail, at any place within the territorial jurisdiction of any court of the United States.

''(3) RESPONSES TO AN ATTORNEY GENERAL DEMAND.—A State or political subdivision, or other governmental representative or agent, shall, with respect to any documentary material or any answer in writing produced under this subsection, provide a sworn certificate, in such form as the demand issued under paragraph (1) designates, by a person having knowledge of the facts and circumstances relating to such production or written answer, authorized to act on behalf of the State or political subdivision, or other governmental representative or agent, upon which the demand was served. The certificate—

''(A) shall state that—

''(i) all of the documentary material required by the demand and in the possession, custody, or control of the State or political subdivision, or other governmental representative or agent, has been produced;

''(ii) with respect to every answer in writing to a written question, all information required by the question and in the possession, custody, control, or knowledge of the State or political subdivision, or other governmental representative or agent, has been submitted; or

''(iii) the requirements described in both clause (i) and clause (ii) have been met; or

''(B) provide the basis for any objection to producing the documentary material or answering the written question.

To the extent that any information is not furnished, the information shall be identified and reasons set forth with particularity regarding the reasons why the information was not furnished.

''(4) JUDICIAL PROCEEDINGS.—

''(A) PETITION FOR ENFORCEMENT.—Whenever any State or political subdivision, or other governmental representative or agent, fails to comply with demand issued by the Attorney General under paragraph (1), the Attorney General may file, in a district court of the United States in which the State or political subdivision, or other governmental representative or agent, is located, a petition for a judicial order enforcing the Attorney General demand issued under paragraph (1).

''(B) PETITION TO MODIFY.—

''(i) IN GENERAL.—Any State or political subdivision, or other governmental representative or agent, that is served with a demand issued by the Attorney General under paragraph (1) may file in the United States District Court for the District of Columbia a petition for an order of the court to modify or set aside the demand of the Attorney General.

''(ii) PETITION TO MODIFY.—Any petition to modify or set aside a demand of the Attorney General issued under paragraph (1) must be filed within 20 days after the date of service of the Attorney General's demand or at any time before the return date specified in the Attorney General's demand, whichever date is earlier.

''(iii) CONTENTS OF PETITION.—The petition shall specify each ground upon which the petitioner relies in seeking relief under clause (i), and may be based upon any failure of the Attorney General's demand to comply with the provisions of this section or upon any constitutional or other legal right or privilege of the State or political subdivision, or other governmental representative or agent. During the pendency of the petition in the court, the court may stay, as it deems proper, the running of the time allowed for compliance with the Attorney General's demand, in whole or in part, except that the State or political subdivision, or other governmental representative or agent, filing the petition shall comply with any portions of the Attorney General's demand not sought to be modified or set aside.''.

SEC. [__15]. DEFINITIONS.

Title I of the Voting Rights Act of 1965 (52 U.S.C. 10301) is amended by adding at the end the following:

''SEC. 21. DEFINITIONS.

''In this Act:

''(1) INDIAN.—The term 'Indian' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(2) INDIAN LANDS.—The term 'Indian lands' means—

''(A) any Indian country of an Indian tribe, as such term is defined in section 1151 of title 18, United States Code;

''(B) any land in Alaska that is owned, pursuant to the Alaska Native Claims Settlement Act, by an Indian tribe that is a Native village (as such term is defined in section 3 of such Act), or by a Village Corporation that is associated with the Indian tribe (as such term is defined in section 3 of such Act);

''(C) any land on which the seat of government of the Indian tribe is located; and

''(D) any land that is part or all of a tribal designated statistical area associated with the Indian tribe, or is part or all of an Alaska Native village statistical area associated with the tribe, as defined by the Bureau of the Census for the purposes of the most recent decennial census.

''(3) INDIAN TRIBE.—The term 'Indian tribe' or 'tribe' has the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(4) TRIBAL GOVERNMENT.—The term 'Tribal Government' means the recognized governing body of an Indian Tribe.

''(5) VOTING-AGE POPULATION.—The term 'voting-age population' means the numerical size of the population within a State, within a political subdivision, or within a political subdivision that contains Indian lands, as the case may be, that consists of persons age 18 or older, as calculated by the Bureau of the Census under the most recent decennial census.''.

SEC. [__16]. ATTORNEYS' FEES.

Section 14(c) of the Voting Rights Act of 1965 (52 U.S.C. 10310(c)) is amended by adding at the end the following:

''(4) The term 'prevailing party' means a party to an action that receives at least some of the benefit sought by such action, states a colorable claim, and can establish that the action was a significant cause of a change to the status quo.''.

SEC. [__17]. OTHER TECHNICAL AND CONFORMING AMENDMENTS.

(a) ACTIONS COVERED UNDER SECTION 3.—Section 3(c) of the Voting Rights Act of 1965 (52 U.S.C. 10302(c)) is amended—

(1) by striking ''any proceeding instituted by the Attorney General or an aggrieved person under any statute to enforce'' and inserting ''any action under any statute in which a party (including the Attorney General) seeks to enforce''; and

(2) by striking ''at the time the proceeding was commenced'' and inserting ''at the time the action was commenced''.

(b) CLARIFICATION OF TREATMENT OF MEMBERS OF LANGUAGE MINORITY GROUPS.—Section 4(f) of such Act (52 U.S.C. 10303(f)) is amended—

(1) in paragraph (1), by striking the second sentence; and

(2) by striking paragraphs (3) and (4).

(c) PERIOD DURING WHICH CHANGES IN VOTING PRACTICES ARE SUBJECT TO PRECLEARANCE UNDER SECTION 5.—Section 5 of such Act (52 U.S.C. 10304) is amended—

(1) in subsection (a), by striking ''based upon determinations made under the first sentence of section 4(b) are in effect'' and inserting ''are in effect during a calendar year'';

(2) in subsection (a), by striking ''November 1, 1964'' and all that follows through ''November 1, 1972'' and inserting ''the applicable date of coverage''; and

(3) by adding at the end the following new subsection:

''(e) The term 'applicable date of coverage' means, with respect to a State or political subdivision—

''(1) June 25, 2013, if the most recent determination for such State or subdivision under section 4(b) was made on or before December 31, 2021; or

''(2) the date on which the most recent determination for such State or subdivision under section 4(b) was made, if such determination was made after December 31, 2021.''.

(d) REVIEW OF PRECLEARANCE SUBMISSION UNDER SECTION 5 DUE TO EXIGENCY.—Section 5 of such Act (52 U.S.C. 10304) is amended, in subsection (a), by inserting ''An exigency, including a natural disaster, inclement weather, or other unforeseeable event, requiring such different qualification, prerequisite, standard, practice, or procedure within 30 days of a Federal, State, or local election shall constitute good cause requiring the Attorney General to expedite consideration of the submission.'' after ''will not be made.''.

SEC. [__18]. SEVERABILITY.

If any provision of the John R. Lewis Voting Rights Advancement Act of 2024 or any amendment made by this subtitle, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional or is otherwise enjoined or unenforceable, the remainder of this subtitle and amendments made by this subtitle, and the application of the provisions and amendments to any other person or circumstance, and any remaining provision of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), shall not be affected by the holding. In addition, if any provision of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), or any amendment to the Voting Rights Act of 1965, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional or is otherwise enjoined or unenforceable, the application of the provision and amendment to any other person or circumstance, and any remaining provisions of the Voting Rights Act of 1965, shall not be affected by the holding.

SEC. [__19]. GRANTS TO ASSIST WITH NOTICE REQUIREMENTS UNDER THE VOTING RIGHTS ACT OF 1965.

(a) IN GENERAL.—The Attorney General shall make grants each fiscal year to small jurisdictions who submit applications under subsection (b) for purposes of assisting such small jurisdictions with compliance with the requirements of the Voting Rights Act of 1965 to submit or publish notice of any change to a qualification, prerequisite, standard, practice or procedure affecting voting.

(b) APPLICATION.—To be eligible for a grant under this section, a small jurisdiction shall submit an application to the Attorney General in such form and containing such information as the Attorney General may require regarding the compliance of such small jurisdiction with the provisions of the Voting Rights Act of 1965.

(c) SMALL JURISDICTION DEFINED.—For purposes of this section, the term ''small jurisdiction'' means any political subdivision of a State with a population of 10,000 or less.

Subtitle B—Election Worker and Polling Place Protection

SEC. [__21]. SHORT TITLE.

This subtitle may be cited as the ''Election Worker and Polling Place Protection Act''.

SEC. [__22]. PROHIBITION ON INTERFERENCE AND INTIMIDATION.

Section 11 of the Voting Rights Act of 1965 (52 U.S.C. 10307) is amended by adding at the end the following:

''(f)(1)(A) Whoever, whether or not acting under color of law, by force or threat of force, or by violence or threat of violence to any person or property, willfully interferes with or attempts to interfere with, the ability of any person or any class of persons to vote or qualify to vote, or to qualify or act as a poll watcher or as any legally authorized election official, in any primary, special, or general election, or any person who is, or is employed by, an agent, contractor, or vendor of a legally authorized election official assisting in the administration of any primary, special, or general election to assist in that administration, shall be fined not more than $2,500, or imprisoned not more than 6 months, or both.

''(B) Whoever, whether or not acting under color of law, by force or threat of force, or by violence or threat of violence to any person or property, willfully intimidates or attempts to intimidate, any person or any class of persons seeking to vote or qualify to vote, or to qualify or act as a poll watcher or as any legally authorized election official, in any primary, special, or general election, or any person who is, or is employed by, an agent, contractor, or vendor of a legally authorized election official assisting in the administration of any primary, special, or general election, shall be fined not more than $2,500, or imprisoned not more than 6 months, or both.

''(C) If bodily injury results from an act committed in violation of this paragraph or if such act includes the use, attempted use, or threatened use of a dangerous weapon, an explosive, or fire, then, in lieu of the remedy described in subparagraph (A) or (B), the violator shall be fined not more than $5,000 or imprisoned not more than 1 year, or both.

''(2)(A) Whoever, whether or not acting under color of law, willfully physically damages or threatens to physically damage any physical property being used as a polling place or tabulation center or other election infrastructure, with the intent to interfere with the administration of a primary, general, or special election or the tabulation or certification of votes for such an election, shall be fined not more than $2,500, or imprisoned not more than 6 months, or both.

''(B) If bodily injury results from an act committed in violation of this paragraph or if such act includes the use, attempted use, or threatened use of a dangerous weapon, an explosive, or fire, then, in lieu of the remedy described in subparagraph (A), the violator shall be fined not more than $5,000 or imprisoned not more than 1 year, or both.

''(3) For purposes of this subsection, de minimus damage or a threat of de minimus damage to physical property shall not be considered a violation of this subsection.

''(4) For purposes of this subsection, the term 'election infrastructure' means any office of a legally authorized election official, or a staffer, worker, or volunteer, assisting such an election official or any physical, mechanical, or electrical device, structure, or tangible item, used in the process of creating, distributing, voting, returning, counting, tabulating, auditing, storing, or other handling of voter registration or ballot information.

''(g) No prosecution of any offense described in subsection (f) may be undertaken by the United States, except under the certification in writing of the Attorney General, or a designee, that—

''(1) the State does not have jurisdiction;

''(2) the State has requested that the Federal Government assume jurisdiction; or

''(3) a prosecution by the United States is in the public interest and necessary to secure substantial justice.''.

SA 2135. Mr. DURBIN (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C in title III, add the following:

SEC. 324. CENTERS OF EXCELLENCE FOR ASSESSING PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES IN WATER SOURCES AND PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCE REMEDIATION SOLUTIONS.

(a) PURPOSE.—The purpose of this section is to dedicate resources to advancing, and expanding access to, perfluoroalkyl or polyfluoroalkyl substance detection and remediation science, research, and technologies through the establishment of Centers of Excellence for Assessing Perfluoroalkyl and Polyfluoroalkyl Substances in Water Sources and Perfluoroalkyl and Polyfluoroalkyl Substance Remediation Solutions.

(b) ESTABLISHMENT OF CENTERS.—

(1) IN GENERAL.—The Administrator shall—

(A) select from among the applications submitted under paragraph (2)(A) an eligible research university, an eligible rural university, and a National Laboratory applying jointly for the establishment of centers, to be known as the ''Centers of Excellence for Assessing Perfluoroalkyl and Polyfluoroalkyl Substances in Water Sources and Perfluoroalkyl and Polyfluoroalkyl Substance Remediation Solutions'', which shall be a tri-institutional collaboration between the eligible research university, eligible rural university, and National Laboratory co-applicants (in this section referred to as the ''Centers''); and

(B) guide the eligible research university, eligible rural university, and National Laboratory in the establishment of the Centers.

(2) APPLICATIONS.—

(A) IN GENERAL.—An eligible research university, eligible rural university, and National Laboratory desiring to establish the Centers shall jointly submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(B) CRITERIA.—In evaluating applications submitted under subparagraph (A), the Administrator shall only consider applications that—

(i) include evidence of an existing partnership between not fewer than two of the co-applicants that is dedicated to supporting and expanding shared scientific goals with a clear pathway to collaborating on furthering science and research relating to perfluoroalkyl or polyfluoroalkyl substances;

(ii) demonstrate a history of collaboration between not fewer than two of the co-applicants on the advancement of shared research capabilities, including instrumentation and research infrastructure relating to perfluoroalkyl or polyfluoroalkyl substances;

(iii) indicate that the co-applicants have the capacity to expand education and research opportunities for undergraduate and graduate students to prepare a generation of experts in sciences relating to perfluoroalkyl or polyfluoroalkyl substances;

(iv) demonstrate that the National Laboratory co-applicant is equipped to scale up newly discovered materials and methods for perfluoroalkyl or polyfluoroalkyl substance detection and perfluoroalkyl or polyfluoroalkyl substance removal processes for low-risk, cost-effective, and validated commercialization; and

(v) identify one or more staff members of each co-applicant who—

(I) have expertise in sciences relevant to perfluoroalkyl or polyfluoroalkyl substance detection and remediation; and

(II) have been jointly selected, and will be jointly appointed, by the co-applicants to lead and carry out the purposes of the Centers.

(3) TIMING.—

(A) IN GENERAL.—Subject to subparagraph (B), the Centers shall be established not later than one year after the date of the enactment of this Act.

(B) DELAY.—If the Administrator determines that a delay in the establishment of the Centers is necessary, the Administrator—

(i) not later than the date specified in subparagraph (A), shall submit a notification to the appropriate committees of Congress explaining the necessity of the delay; and

(ii) shall ensure that the Centers are established not later than three years after the date of the enactment of this Act.

(4) COORDINATION.—The Administrator shall carry out paragraph (1) in coordination with other relevant officials of the Federal Government as the Administrator determines appropriate.

(c) DUTIES AND CAPABILITIES OF THE CENTERS.—

(1) IN GENERAL.—The Centers shall develop and maintain—

(A) capabilities for measuring perfluoroalkyl or polyfluoroalkyl substance contamination in drinking water, ground water, and any other relevant environmental, municipal, industrial, or residential water samples using methods certified by the Environmental Protection Agency; and

(B) capabilities for—

(i) evaluating emerging perfluoroalkyl or polyfluoroalkyl substance removal and destruction technologies and methods; and

(ii) benchmarking those technologies and methods relative to existing technologies and methods.

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Centers shall, at a minimum—

(i) develop instruments and personnel capable of analyzing perfluoroalkyl or polyfluoroalkyl substance contamination in water using—

(I) the method described by the Environmental Protection Agency in the document entitled ''Method 533: Determination of Per- and Polyfluoroalkyl Substances in Drinking Water by Isotope Dilution Anion Exchange Solid Phase Extraction and Liquid Chromatography/Tandem mass Spectrometry'' (commonly known as ''EPA Method 533'');

(II) the method described by the Environmental Protection Agency in the document entitled ''Method 537.1: Determination of Selected Per- and Polyfluorinated Alkyl Substances in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS)'' (commonly known as ''EPA Method 537.1'');

(III) any updated or future method developed by the Environmental Protection Agency; and

(IV) any other method the Administrator considers relevant;

(ii) develop and maintain capabilities for evaluating the removal of perfluoroalkyl or polyfluoroalkyl substances from water using newly developed adsorbents or membranes;

(iii) develop and maintain capabilities to evaluate the degradation of perfluoroalkyl or polyfluoroalkyl substances in water or other media;

(iv) make the capabilities and instruments developed under clauses (i) through (iii) available to researchers throughout the regions in which the Centers are located; and

(v) make reliable perfluoroalkyl or polyfluoroalkyl substance measurement capabilities and instruments available to municipalities and individuals in the regions in which the Centers are located at reasonable cost.

(B) OPEN-ACCESS RESEARCH.—The Centers shall provide open access to the research findings of the Centers.

(d) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Administrator may, as the Administrator determines to be necessary, use staff and other resources from other Federal agencies in carrying out this section.

(e) REPORTS.—

(1) REPORT ON ESTABLISHMENT OF CENTERS.—Not later than one year after the date of the establishment of the Centers under subsection (b), the Administrator, in coordination with the Centers, shall submit to the appropriate committees of Congress a report describing—

(A) the establishment of the Centers; and

(B) the activities of the Centers since the date on which the Centers were established.

(2) ANNUAL REPORTS.—Not later than one year after the date on which the report under paragraph (1) is submitted, and annually thereafter until the date on which the Centers are terminated under subsection (f), the Administrator, in coordination with the Centers, shall submit to the appropriate committees of Congress a report describing—

(A) the activities of the Centers during the year covered by the report; and

(B) any policy, research, or funding recommendations relating to the purposes or activities of the Centers.

(f) TERMINATION.—

(1) IN GENERAL.—Subject to paragraph (2), the Centers shall terminate on October 1, 2034.

(2) EXTENSION.—If the Administrator, in consultation with the Centers, determines that the continued operation of the Centers beyond the date described in paragraph (1) is necessary to advance science and technologies to address perfluoroalkyl or polyfluoroalkyl substance contamination—

(A) the Administrator shall submit to the appropriate committees of Congress—

(i) a notification of that determination; and

(ii) a description of the funding necessary for the Centers to continue in operation and fulfill their purpose; and

(B) subject to the availability of funds, may extend the duration of the Centers for such time as the Administrator determines to be appropriate.

(g) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated to the Department of Defense for fiscal year 2025 for the Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program of the Department of Defense, $25,000,000 shall be made available to the Administrator to carry out this section.

(2) AVAILABILITY OF AMOUNTS.—Amounts made available under paragraph (1) shall remain available to the Administrator for the purposes specified in that paragraph until September 30, 2033.

(3) ADMINISTRATIVE COSTS.—Not more than four percent of the amounts made available to the Administrator under paragraph (1) shall be used for the administrative costs of carrying out this section.

(h) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term the ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives.

(2) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(3) ELIGIBLE RESEARCH UNIVERSITY.—The term ''eligible research university'' means an institution of higher education that—

(A) has annual research expenditures of not less than $750,000,000; and

(B) is located near a population center of not fewer than 5,000,000 individuals.

(4) ELIGIBLE RURAL UNIVERSITY.—The term ''eligible rural university'' means an institution of higher education that is—

(A) located in one of the five States with the lowest population density as determined by data from the most recent census;

(B) a member of the National Security Innovation Network in the Rocky Mountain Region; and

(C) in proximity to the geographic center of the United States, as determined by the Administrator.

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(7) PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl or polyfluoroalkyl substance'' means a substance that is a perfluoroalkyl substance or a polyfluoroalkyl substance (as those terms are defined in section 7331(2)(B) of the PFAS Act of 2019 (15 U.S.C. 8931(2)(B))), including a mixture of those substances.

SA 2136. Mr. REED (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. EMERGENCY RELIEF.

Notwithstanding subsections (a), (b), and (d)(1)(A) of section 125 of title 23, United States Code, the Secretary of Transportation is authorized to expend funds under that section for the repair and reconstruction of the westbound Washington Bridge, Interstate Route 195, located in Providence, Rhode Island, in order to fully reopen all lanes to traffic after the closure of that bridge that began on December 11, 2023.

SA 2137. Mrs. GILLIBRAND (for herself and Ms. LUMMIS) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CRYPTO ASSETS.

(a) CRYPTO ASSET ANTI-MONEY LAUNDERING EXAMINATION STANDARDS.—Not later than 2 years after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Conference of State Bank Supervisors and Federal functional regulators, as defined in section 1010.100 of title 31, Code of Federal Regulations, shall establish a risk-focused examination and review process for financial institutions, as defined in that section, to assess the following relating to crypto assets, as determined by the Secretary:

(1) The adequacy of reporting obligations and anti-money laundering programs under subsections (g) and (h) of section 5318 of title 31, United States Code, respectively as applied to those institutions.

(2) Compliance of those institutions with anti-money laundering and countering the financing of terrorism requirements under subchapter II of chapter 53 of title 31, United States Code.

(b) COMBATING ANONYMOUS CRYPTO ASSET TRANSACTIONS.—Not later than 1 year after the date of enactment of this Act, the Secretary of the Treasury shall submit a report and provide a briefing, as determined by the Secretary, to the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that assess the following issues:

(1) Categories of anonymity-enhancing technologies or services used in connection with crypto assets, such as mixers and tumblers, in use as of the date on which the report is submitted.

(2) As data are available, estimates of the magnitude of transactions related to the categories in paragraph (1) that are believed to be connected, directly or indirectly, to illicit finance, including crypto asset transaction volumes associated with sanctioned entities and entities subject to special measures pursuant to section 5318A of title 31, United States Code, and a description of any limitations applicable to the data used in such estimates.

(3) Categories of privacy-enhancing technologies or services used in connection with crypto assets in use as of the date on which the report is submitted.

(4) Legislative and regulatory approaches employed by other jurisdictions relating to the technologies and services described in paragraphs (1) and (3).

(5) Recommendations for legislation or regulation relating to the technologies and services described in paragraphs (1) and (3).

SA 2138. Mr. COONS (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. _____. ELIMINATING AGE REQUIREMENT FOR EXPUNGEMENT OF CERTAIN RECORDS OF DISPOSITION FOR SIMPLE POSSESSION OF CONTROLLED SUBSTANCES BY NONVIOLENT OFFENDERS.

Section 3607(c) of title 18, United States Code, is amended by striking ''and the person was less than twenty-one years old at the time of the offense,''.

SA 2139. Mrs. MURRAY (for herself, Mr. TUBERVILLE, Mr. LUJAN, and Mr. ROMNEY) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, insert the following:

SEC. 1095. REAUTHORIZATION OF POISON CONTROL PROGRAMS.

(a) NATIONAL TOLL-FREE NUMBER AND OTHER COMMUNICATION CAPABILITIES.—Section 1271(c) of the Public Health Service Act (42 U.S.C. 300d–71(c)) is amended by striking ''fiscal years 2020 through 2024'' and inserting ''fiscal years 2025 through 2029''.

(b) PROMOTING POISON CONTROL CENTER UTILIZATION.—Section 1272(c) of the Public Health Service Act (42 U.S.C. 300d–72(c)) is amended by striking ''fiscal years 2020 through 2024'' and inserting ''fiscal years 2025 through 2029''.

(c) POISON CONTROL CENTER GRANT PROGRAM.—Section 1273(g) of the Public Health Service Act (42 U.S.C. 300d–73(g)) is amended by striking ''fiscal years 2020 through 2024'' and inserting ''fiscal years 2025 through 2029''.

SA 2140. Mr. LUJÁN (for himself, Mr. ROMNEY, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NAVAJO-GALLUP WATER SUPPLY PROJECT AMENDMENTS ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Navajo-Gallup Water Supply Project Amendments Act of 2024''.

SEC. 5002. DEFINITIONS.

Section 10302 of the Northwestern New Mexico Rural Water Projects Act (43 U.S.C. 407 note; Public Law 111–11) is amended—

(1) by striking paragraph (29);

(2) by redesignating paragraphs (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), (27), (28), and (30) as paragraphs (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (27), (28), (30), (31), and (32), respectively;

(3) by inserting after paragraph (11) the following:

''(12) DEFERRED CONSTRUCTION FUND.—The term 'Deferred Construction Fund' means the Navajo Nation's Navajo-Gallup Water Supply Project Deferred Construction Fund established by section 10602(i)(1)(A).'';

(4) in paragraph (14) (as so redesignated)—

(A) in the paragraph heading, by striking ''DRAFT'' and inserting ''FINAL ENVIRONMENTAL'';

(B) by striking ''Draft Impact'' and inserting ''Final Environmental'';

(C) by striking ''draft environmental'' and inserting ''final environmental''; and

(D) by striking ''March 2007'' and inserting ''July 6, 2009'';

(5) in paragraph (19) (as so redesignated), by striking ''Draft'' and inserting ''Final Environmental'';

(6) by inserting after paragraph (25) (as so redesignated) the following:

''(26) PROJECT SERVICE AREA.—The term 'Project Service Area' means the area that encompasses the 43 Nation chapters, the southwest portion of the Jicarilla Apache Reservation, and the City that is identified to be served by the Project, as illustrated in figure IV–5 (Drawing No. 1695–406–49) of the Final Environmental Impact Statement.'';

(7) by inserting after paragraph (28) (as so redesignated) the following:

''(29) SETTLEMENT TRUST FUNDS.—The term 'Settlement Trust Funds' means—

''(A) the Navajo Nation Water Resources Development Trust Fund established by subsection (a)(1) of section 10702;

''(B) the Navajo Nation Operations, Maintenance, and Replacement Trust Fund established under subsection (b)(1) of that section; and

''(C) the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund established under subsection (c)(2) of that section.''; and

(8) by adding at the end the following:

''(33) WORKING COST ESTIMATE.—The term 'Working Cost Estimate' means the Bureau of Reclamation document entitled 'NGWSP October 2022 WCE' and dated February 26, 2023, that details the costs totaling $2,138,387,000, at the October 2022 price level, of the Project, as configured on that date.''.

SEC. 5003. NAVAJO-GALLUP WATER SUPPLY PROJECT.

(a) AUTHORIZATION OF NAVAJO-GALLUP WATER SUPPLY PROJECT.—Section 10602 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1379) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''IN GENERAL'' and inserting ''AUTHORIZATION'';

(B) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(C) in paragraph (1) (as so designated), by striking ''Draft Impact Statement'' and inserting ''Final Environmental Impact Statement, as further refined in, and including the facilities identified in, the Working Cost Estimate and any subsequent supplemental documents prepared in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''; and

(D) by adding at the end the following:

''(2) ADDITIONAL SERVICE AREAS.—

''(A) FINDINGS.—Congress finds that—

''(i) expanding the Project Service Area would create opportunities to increase service for additional Nation Tribal members and would not increase the cost of the Project beyond authorization levels described in section 10609(a); and

''(ii) the unit operations and maintenance costs of the Project would be reduced by adding more customers to the Project.

''(B) AUTHORIZATIONS FOR ADDITIONAL PROJECT SERVICE AREAS.—

''(i) NEW MEXICO.—In addition to delivering water supply from the Project to the Nation communities in the San Juan River Basin, the Nation may expand the Project Service Area in order to deliver water supply from the Project to communities of the Nation within the Rio San Jose Basin, New Mexico.

''(ii) ARIZONA.—In addition to delivering water supply from the Project to the Nation communities of Fort Defiance and Window Rock, Arizona, and subject to section 10603(c)(1), the Nation may expand the Project Service Area in order to deliver water supply from the Project to the Nation community of Lupton, Arizona, within the Little Colorado River Basin, Arizona.'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1)—

(i) by inserting ''acquire,'' before ''construct,''; and

(ii) by striking ''Draft Impact Statement'' and inserting ''Final Environmental Impact Statement, as further refined in, and including the facilities identified in, the Working Cost Estimate and any subsequent supplemental documents prepared in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)'';

(B) by striking paragraph (1) and inserting the following:

''(1) The water conveyance and storage facilities associated with the San Juan Generating Station (the coal-fired, 4-unit electric power plant and ancillary features located by the San Juan Mine near Waterflow, New Mexico), including the diversion dam, the intake structure, the river pumping plant, the pipeline from the river to the reservoir, the dam and associated reservoir, and any associated land, or interest in land, or ancillary features.'';

(C) in paragraph (2)(A)—

(i) by striking ''River near Kirtland, New Mexico,'' and inserting ''Generating Station Reservoir''; and

(ii) by inserting ''generally'' before ''follows United States Highway 491'';

(D) in paragraph (3)(A), by inserting ''generally'' before ''follows United States Highway 550''; and

(E) in paragraph (5), by inserting ''(including any reservoir facility)'' after ''treatment facility'';

(3) in subsection (c)—

(A) in the subsection heading, by inserting ''AND FACILITIES'' after ''LAND'';

(B) in paragraph (1), by striking ''any land or interest in land that is'' and inserting ''any land or facilities, or interest in land or facilities, that are''; and

(C) by adding at the end the following:

''(4) LAND TO BE TAKEN INTO TRUST.—

''(A) IN GENERAL.—On satisfaction of the conditions described in paragraph (7) of the Agreement and after the requirements of sections 10701(e) and 10703 are met, the Secretary shall take legal title to the following land and, subject to subparagraph (D), hold that land in trust for the benefit of the Nation:

''(i) Fee land of the Nation, including—

''(I) the parcels of land on which the Tohlakai Pumping Plant, Reach 12A and Reach 12B, are located, including, in McKinley County, New Mexico—

''(aa) sec. 5, T. 16 N., R. 18 W., New Mexico Prime Meridian; and

''(bb) sec. 33, T. 17 N., R. 17 W., New Mexico Prime Meridian (except lot 9 and the NW¼ of lot 4);

''(II) the parcel of land on which Reach 12.1 is located, including—

''(aa) NW¼ and SW¼ sec. 5, T. 16 N., R. 18 W.;

''(bb) N½ sec. 11, T. 16 N., R. 19 W.; and

''(cc) sec. 12, T. 16 N., R. 20 W.; and

''(III) the parcel of land on which Reach 12.2 is located, including NW¼. sec. 2, T. 16 N., R. 21 W.

''(ii) Public domain land managed by the Bureau of Land Management, including—

''(I) the parcel of land on which the Cutter Lateral Water Treatment Plant is located, including S½ sec. 9, T. 25 N., R. 9 W., New Mexico Prime Meridian; and

''(II) the parcel of land on which the Navajo Agricultural Products Industry turnout is located, including NW¼ and NE¼ sec. 34, T. 26 N., R. 9 W., New Mexico Prime Meridian.

''(iii) The land underlying the San Juan Generating Station (the coal-fired, 4-unit electric power plant and ancillary features located by the San Juan Mine near Waterflow, New Mexico) acquired by the United States, as described in subsection (b)(1).

''(B) PART OF NAVAJO NATION.—The land taken into trust under subparagraph (A) shall be part of the Navajo Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for the benefit of an Indian Tribe.

''(C) RESTRICTIONS.—

''(i) FEE LAND OF THE NATION.—The fee land of the Nation taken into trust under subparagraph (A)(i) shall be subject to valid existing rights, contracts, and management agreements, including easements and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

''(ii) PUBLIC DOMAIN LAND.—

''(I) IN GENERAL.—The public domain land managed by the Bureau of Land Management taken into trust under subparagraph (A)(ii) shall be subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

''(II) BIA ASSUMPTION OF BENEFITS AND OBLIGATIONS.—The Bureau of Indian Affairs shall—

''(aa) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, or rights-of-way described in subclause (I); and

''(bb) disburse to the Nation any amounts that accrue to the United States from those rights, contracts, leases, permits, or rights-of-ways after the date on which the land described in clause (ii) of subparagraph (A) is taken into trust for the benefit of the Nation from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Nation.

''(iii) LAND UNDERLYING THE SAN JUAN GENERATING STATION.—

''(I) IN GENERAL.—The land underlying the San Juan Generating Station (the coal-fired, 4-unit electric power plant and ancillary features located by the San Juan Mine near Waterflow, New Mexico) taken into trust under subparagraph (A)(iii) shall be subject to a perpetual easement on and over all of the land underlying the San Juan Generating Station reserved to the United States for use by the Bureau of Reclamation and its contractors and assigns—

''(aa) for ingress and egress;

''(bb) to continue construction of the Project; and

''(cc) for operation and maintenance of Project facilities located on that land.

''(II) RESERVED PERPETUAL EASEMENT.—The reserved perpetual easement described in subclause (I) shall remain vested in the United States unless title to the Project facilities and appropriate interests in land are conveyed pursuant to subsection (f).

''(III) RESERVED FEDERAL FACILITIES.—The United States shall retain ownership of the San Juan Generating Station (the coal-fired, 4-unit electric power plant and ancillary features located by the San Juan Mine near Waterflow, New Mexico) water conveyance and storage facilities when the underlying land is taken into trust under subparagraph (A)(iii) and title to those facilities shall remain vested in the United States unless title to those facilities are conveyed pursuant to subsection (f).

''(D) SAVINGS CLAUSE.—Nothing in this paragraph affects any—

''(i) water right of the Nation in existence on the day before the date of enactment of the Navajo-Gallup Water Supply Project Amendments Act of 2024; and

''(ii) right or claim of the Nation to any land or interest in land in existence on the day before the date of enactment of the Navajo-Gallup Water Supply Project Amendments Act of 2024.'';

(4) in subsection (d)(1)(D), by striking ''Draft'' and inserting ''Final Environmental'';

(5) in subsection (e)—

(A) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary''; and

(B) by adding at the end the following:

''(2) RENEWABLE ENERGY AND HYDROELECTRIC POWER.—

''(A) RENEWABLE ENERGY.—For any portion of the Project that does not have access to Colorado River Storage Project power, the Secretary may use not more than $6,250,000 of the amounts made available under section 10609(a)(1) to develop renewable energy.

''(B) HYDROELECTRIC POWER.—Notwithstanding whether a Project facility has access to Colorado River Storage Project power, the Secretary may use not more than $1,250,000 of the $6,250,000 authorized to be used to develop renewable energy under subparagraph (A) to develop hydroelectric power for any Project facility that can use hydraulic head to produce electricity.'';

(6) in subsection (h)(1), in the matter preceding subparagraph (A), by inserting '', store,'' after ''treat''; and

(7) by adding at the end the following:

''(i) DEFERRED CONSTRUCTION OF PROJECT FACILITIES.—

''(1) DEFERRED CONSTRUCTION OF PROJECT FACILITIES.—On mutual agreement between the Nation and the Secretary, and the Jicarilla Apache Nation if the deferred Project facilities benefit the Jicarilla Apache Nation, construction of selected Project facilities may be deferred to save operation and maintenance expenses associated with that construction.

''(2) DEFERRED CONSTRUCTION FUND.—

''(A) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the 'Navajo Nation's Navajo-Gallup Water Supply Project Deferred Construction Fund', to consist of—

''(i) amounts that correspond to portions of the Project that have been deferred under paragraph (1); and

''(ii) any interest or other gains on amounts referred to in clause (i).

''(B) USE OF THE DEFERRED CONSTRUCTION FUND.—The Nation may use amounts in the Deferred Construction Fund—

''(i) to construct Project facilities that have been deferred under paragraph (1); or

''(ii) to construct alternate facilities agreed on under subparagraph (C).

''(C) ALTERNATE FACILITIES CONSISTENT WITH THE PURPOSE OF THE PROJECT.—On agreement between the Nation and the Secretary, and the Jicarilla Apache Nation if the deferred Project facilities benefit the Jicarilla Apache Nation, and in compliance with all applicable environmental and cultural resource protection laws, facilities other than those previously agreed to be deferred under paragraph (1) may be constructed if those alternate facilities are consistent with the purposes of the Project described in section 10601.

''(3) AMOUNTS TO BE DEPOSITED.—Funds allocated from the amounts made available under section 10609(a)(1) to build facilities referred to in paragraph (1) shall be deposited into the Deferred Construction Fund.

''(4) ADJUSTMENTS.—On deposit of amounts into the Deferred Construction Fund under paragraph (3), the adjustments to authorized appropriations under section 10609(a)(2) shall no longer apply to those amounts.

''(5) DEADLINE TO CONSTRUCT PROJECT FACILITIES.—On deposit of all amounts into the Deferred Construction Fund for construction of Project facilities agreed on under paragraph (1), the Secretary shall be deemed to have met the obligation under section 10701(e)(1)(A)(ix).

''(6) FUTURE CONSTRUCTION OF PROJECT FACILITIES.—On agreement between the Nation and the Secretary, and the Jicarilla Apache Nation if the deferred Project facilities benefit the Jicarilla Apache Nation, the Nation shall use amounts deposited into the Deferred Construction Fund to construct—

''(A) Project facilities deferred under paragraph (1); or

''(B) alternate Project facilities described in paragraph (2)(C).''.

(b) DELIVERY AND USE OF NAVAJO-GALLUP WATER SUPPLY PROJECT WATER.—Section 10603 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1382) is amended—

(1) in subsection (a)(3)(B)—

(A) in clause (i), by inserting ''or, if generated on City-owned facilities, by the City'' after ''the Nation''; and

(B) in clause (ii), by inserting '', except that the City shall retain all revenue from the sale of hydroelectric power that is generated on City-owned facilities'' after ''hydroelectric power''; and

(2) in subsection (g)(2), by striking '', except as provided in section 10604(f)''.

(c) PROJECT CONTRACTS.—Section 10604 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1388) is amended—

(1) in subsection (a)(4), by striking ''Subject to subsection (f), the'' and inserting ''The'';

(2) in subsection (b)(3)—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)'';

(B) in subparagraph (B)—

(i) in the subparagraph heading, by striking ''MINIMUM PERCENTAGE'' and inserting ''MAXIMUM PERCENTAGE'';

(ii) by striking ''at least 25 percent'' and inserting ''not more than 25 percent''; and

(iii) by striking '', but shall in no event exceed 35 percent''; and

(C) by adding at the end the following:

''(C) MAXIMUM REPAYMENT OBLIGATION.—The repayment obligation of the City referred to in subparagraphs (A) and (B) shall not exceed $76,000,000.'';

(3) in subsection (c)(1)(B), by inserting ''subsection (f) and'' before ''section 10603(g)'';

(4) in subsection (d)(1), by striking ''Draft'' and inserting ''Final Environmental'';

(5) in subsection (e), by striking ''Draft'' and inserting ''Final Environmental'';

(6) by striking subsection (f); and

(7) by redesignating subsection (g) as subsection (f).

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 10609 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1395; 129 Stat. 528) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''$870,000,000 for the period of fiscal years 2009 through 2024'' and inserting ''$2,175,000,000 for the period of fiscal years 2009 through 2029'';

(B) by striking paragraph (2) and inserting the following:

''(2) ADJUSTMENTS.—

''(A) IN GENERAL.—The amount under paragraph (1) shall be adjusted by such amounts as may be required—

''(i) by reason of changes since October 2022 in construction cost changes in applicable regulatory standards, as indicated by engineering cost indices applicable to the types of construction involved; and

''(ii) to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices described in clause (i), as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

''(B) DEFERRED CONSTRUCTION FUND.—Amounts deposited in the Deferred Construction Fund shall not be adjusted pursuant to this paragraph.''; and

(C) in paragraph (4)(B), by striking ''10 years'' and inserting ''15 years''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''$30,000,000, as adjusted under paragraph (3), for the period of fiscal years 2009 through 2019'' and inserting ''$37,500,000, as adjusted under paragraph (3), for the period of fiscal years 2009 through 2032'';

(B) in paragraph (2), by striking ''2024'' and inserting ''2032''; and

(C) in paragraph (3), by striking ''The amount under paragraph (1)'' and inserting ''The amount under paragraphs (1) and (2)''.

(e) TAXATION OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF PROJECT FACILITIES.—Part III of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1379) is amended by adding at the end the following:

''SEC. 10610. TAXATION OF CONSTRUCTION, OPERATION, AND MAINTENANCE OF PROJECT FACILITIES.

''(a) NATION LAND.—Any activity constituting the construction, operation, or maintenance of Project facilities—

''(1) shall, if the activity takes place on land that is held in trust by the United States for the benefit of the Nation, be subject to taxation by the Nation; and

''(2) shall not be subject to any fee, tax, assessment, levy, or other charge imposed by any State or political subdivision of a State.

''(b) OTHER LAND.—Any activity constituting the construction, operation, or maintenance of Project facilities—

''(1) shall, if the activity takes place on land other than the land described in subsection (a)(1), be subject to taxation by the State in which the land is located, or by a political subdivision of that State to the extent authorized by the laws of that State; and

''(2) shall not be subject to any fee, tax, assessment, levy, or other charge imposed by the Nation.''.

SEC. 5004. NAVAJO NATION WATER RIGHTS.

(a) AGREEMENT.—Section 10701(e) of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1400; 129 Stat. 528) is amended—

(1) in paragraph (1)(A)—

(A) by striking clause (vii) and inserting the following:

''(vii) NAVAJO NATION WATER RESOURCES DEVELOPMENT TRUST FUND.—Not later than December 31, 2019, the United States shall make all deposits into the Navajo Nation Water Resources Development Trust Fund established by section 10702(a)(1).'';

(B) in clause (viii), by striking ''2019'' and inserting ''2032'';

(C) in clause (ix), by striking ''2024'' and inserting ''2029''; and

(D) by adding at the end the following:

''(x) DEFERRED CONSTRUCTION FUND.—

''(I) IN GENERAL.—Not later than December 31, 2029, the United States shall make all deposits into the Deferred Construction Fund in accordance with section 10602(i)(3).

''(II) PROJECT DEADLINE.—On deposit of the amounts into the Deferred Construction Fund under subclause (I), even if certain Project facilities have not yet been constructed, the Secretary shall be deemed to

have met the deadline described in clause (ix).''; and

(2) in paragraph (2)(B)—

(A) in clause (i), by striking ''Trust Fund'' and inserting ''Settlement Trust Funds''; and

(B) in clause (ii), by striking ''Trust Fund'' and inserting ''Settlement Trust Funds''.

(b) SETTLEMENT TRUST FUNDS.—Section 10702 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1402) is amended to read as follows:

''SEC. 10702. SETTLEMENT TRUST FUNDS.

''(a) NAVAJO NATION WATER RESOURCES DEVELOPMENT TRUST FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury a fund, to be known as the 'Navajo Nation Water Resources Development Trust Fund', consisting of—

''(A) such amounts as are appropriated to the Navajo Nation Water Resources Development Trust Fund under paragraph (5); and

''(B) any interest earned on investment of amounts in the Navajo Nation Water Resources Development Trust Fund under paragraph (3).

''(2) USE OF FUNDS.—The Nation may use amounts in the Navajo Nation Water Resources Development Trust Fund—

''(A) to investigate, construct, operate, maintain, or replace water project facilities, including facilities conveyed to the Nation under this subtitle and facilities owned by the United States for which the Nation is responsible for operation, maintenance, and replacement costs; and

''(B) to investigate, implement, or improve a water conservation measure (including a metering or monitoring activity) necessary for the Nation to make use of a water right of the Nation under the Agreement.

''(3) INVESTMENT.—Beginning on October 1, 2019, the Secretary shall invest amounts in the Navajo Nation Water Resources Development Trust Fund in accordance with subsection (e).

''(4) INVESTMENT EARNINGS.—Any investment earnings, including interest, credited to amounts held in the Navajo Nation Water Resources Development Trust Fund are authorized to be used in accordance with paragraph (2).

''(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for deposit in the Navajo Nation Water Resources Development Trust Fund—

''(A) $6,000,000 for each of fiscal years 2010 through 2014; and

''(B) $4,000,000 for each of fiscal years 2015 through 2019.

''(6) AVAILABILITY.—Any amount authorized to be appropriated to the Navajo Nation Water Resources Development Trust Fund under paragraph (5) shall not be available for expenditure or withdrawal—

''(A) before December 31, 2019; and

''(B) until the date on which the court in the stream adjudication has entered—

''(i) the Partial Final Decree; and

''(ii) the Supplemental Partial Final Decree.

''(7) MANAGEMENT.—The Secretary shall manage the Navajo Nation Water Resources Development Trust Fund in accordance with subsection (d).

''(8) CONDITIONS FOR EXPENDITURE AND WITHDRAWAL.—After the funds become available pursuant to paragraph (6), all expenditures and withdrawals by the Nation of funds in the Navajo Nation Water Resources Development Trust Fund must comply with the requirements of subsection (f).

''(b) NAVAJO NATION OPERATIONS, MAINTENANCE, AND REPLACEMENT TRUST FUND.—

''(1) ESTABLISHMENT.—The Secretary shall establish a trust fund to be known as the 'Navajo Nation Operations, Maintenance, and Replacement Trust Fund' for the purposes set forth in paragraph (2), to be managed, invested, and distributed by the Secretary, and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the trust fund under paragraph (3), together with any interests earned on those amounts under paragraph (4).

''(2) USE OF FUNDS.—The Nation may use amounts in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund to pay operation, maintenance, and replacement costs of the Project allocable to the Nation under section 10604.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for deposit in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund $250,000,000.

''(4) INVESTMENT.—Upon deposit of funding into the Navajo Nation Operations, Maintenance, and Replacement Trust Fund pursuant to paragraph (3), the Secretary shall invest amounts deposited in accordance with subsection (e).

''(5) INVESTMENT EARNINGS.—Any investment earnings, including interest, credited to amounts held in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund are authorized to be used in accordance with paragraph (2).

''(6) AVAILABILITY.—Any amount authorized to be appropriated to the Navajo Nation Operations, Maintenance, and Replacement Trust Fund under paragraph (3) shall not be available for expenditure or withdrawal until the Nation is responsible for payment of operation, maintenance, and replacement costs as set forth in section 10603(g).

''(7) FLUCTUATION IN COSTS.—

''(A) IN GENERAL.—The amounts authorized to be appropriated under paragraph (3) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after October 2022 as indicated by the Bureau of Reclamation Operation and Maintenance Cost Index.

''(B) REPETITION.—The adjustment process under this subparagraph shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

''(C) PERIOD OF INDEXING.—The period of indexing adjustment under this subparagraph for any increment of funding shall end on the date on which the funds are deposited into the Navajo Nation Operations, Maintenance, and Replacement Trust Fund.

''(8) MANAGEMENT.—The Secretary shall manage the Navajo Nation Operations, Maintenance, and Replacement Trust Fund in accordance with subsection (d).

''(9) CONDITIONS FOR EXPENDITURE AND WITHDRAWAL.—All expenditures and withdrawals by the Nation of funds in the Navajo Nation Operations, Maintenance, and Replacement Trust Fund must comply with the requirements of subsection (f).

''(c) JICARILLA APACHE NATION OPERATIONS, MAINTENANCE, AND REPLACEMENT TRUST FUND.—

''(1) PREREQUISITE TO ESTABLISHMENT.—Prior to establishment of the trust fund under paragraph (2), the Secretary shall conduct an Ability to Pay study to determine what operation, maintenance, and replacement costs of that section of the Project serving the Jicarilla Apache Nation are in excess of the ability of the Jicarilla Apache Nation to pay.

''(2) ESTABLISHMENT.—Upon completion of the Ability to Pay study as set forth in paragraph (1), the Secretary shall establish a trust fund to be known as the 'Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund' for the purposes set forth in paragraph (3), to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the trust fund under paragraph (4), together with any interests earned on those amounts under paragraph (5).

''(3) USE OF FUNDS.—The Jicarilla Apache Nation may use amounts in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund to pay operation, maintenance, and replacement costs of the Project allocable to the Jicarilla Nation under section 10604.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for deposit in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund the amounts the Secretary has determined are in excess of the ability of the Jicarilla Apache Nation to pay in the Ability to Pay study required under paragraph (1) up to a maximum of $10,000,000.

''(5) INVESTMENT.—Upon deposit of funding into the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund pursuant to paragraph (4), the Secretary shall invest amounts in the fund in accordance with subsection (e).

''(6) INVESTMENT EARNINGS.—Any investment earnings , including interest, credited to amounts held in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund are authorized to be used in accordance with paragraph (3).

''(7) AVAILABILITY.—Any amount authorized to be appropriated to the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund under paragraph (4) shall not be available for expenditure or withdrawal until the Jicarilla Apache Nation is responsible for payment of operation, maintenance, and replacement costs as set forth in section 10603(g).

''(8) FLUCTUATION IN COSTS.—

''(A) IN GENERAL.—The amounts authorized to be appropriated under paragraph (4) shall be increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after October 2022 as indicated by the Bureau of Reclamation Operation and Maintenance Cost Index.

''(B) REPETITION.—The adjustment process under this subparagraph shall be repeated for each subsequent amount appropriated until the amount authorized, as adjusted, has been appropriated.

''(C) PERIOD OF INDEXING.—The period of indexing adjustment under this subparagraph for any increment of funding shall end on the date on which the funds are deposited into the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund.

''(9) MANAGEMENT.—The Secretary shall manage the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund in accordance with subsection (d).

''(10) CONDITIONS FOR EXPENDITURE AND WITHDRAWAL.—All expenditures and withdrawals by the Jicarilla Apache Nation of funds in the Jicarilla Apache Nation Operations, Maintenance, and Replacement Trust Fund must comply with the requirements of subsection (f).

''(d) MANAGEMENT.—The Secretary shall manage the Settlement Trust Funds, invest amounts in the Settlement Trust Funds pursuant to subsection (e), and make amounts available from the Settlement Trust Funds for distribution to the Nation and the Jicarilla Apache Nation in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

''(e) INVESTMENT OF THE TRUST FUNDS.—The Secretary shall invest amounts in the Settlement Trust Funds in accordance with—

''(1) the Act of April 1, 1880 (25 U.S.C. 161);

''(2) the first section of the Act of June 24, 1938 (25 U.S.C. 162a); and

''(3) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

''(f) CONDITIONS FOR EXPENDITURES AND WITHDRAWALS.—

''(1) TRIBAL MANAGEMENT PLAN.—

''(A) IN GENERAL.—On approval by the Secretary of a Tribal management plan in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Nation and the Jicarilla Apache Nation may withdraw all or a portion of the amounts in the Settlement Trust Funds.

''(B) REQUIREMENTS.—In addition to any requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), a Tribal management plan shall require that the Nation and Jicarilla Apache Nation only use amounts in the Settlement Trust Funds for the purposes described in subsection (a)(2), (b)(2), or (c)(3), as applicable.

''(2) ENFORCEMENT.—The Secretary may take judicial or administrative action to enforce the provisions of any Tribal management plan to ensure that any amounts withdrawn from the Settlement Trust Funds are used in accordance with this subtitle.

''(3) NO LIABILITY.—The Secretary or the Secretary of the Treasury shall not be liable for the expenditure or investment of any amounts withdrawn from the Settlement Trust Funds by the Nation or the Jicarilla Apache Nation.

''(4) EXPENDITURE PLAN.—

''(A) IN GENERAL.—The Nation and Jicarilla Apache Nation shall submit to the Secretary for approval an expenditure plan for any portion of the amounts in the Settlement Trust Funds made available under this section that the Nation or the Jicarilla Apache Nation does not withdraw under this subsection.

''(B) DESCRIPTION.—An expenditure plan submitted under subparagraph (A) shall describe the manner in which, and the purposes for which, funds of the Nation or the Jicarilla Apache Nation remaining in the Settlement Trust Funds will be used.

''(C) APPROVAL.—On receipt of an expenditure plan under subparagraph (A), the Secretary shall approve the plan if the Secretary determines that the plan is reasonable and consistent with this subtitle.

''(5) ANNUAL REPORT.—The Nation and Jicarilla Apache Nation shall submit to the Secretary an annual report that describes any expenditures from the Settlement Trust Funds during the year covered by the report.

''(6) LIMITATION.—No portion of the amounts in the Settlement Trust Funds shall be distributed to any Nation or Jicarilla Apache Nation member on a per capita basis.''.

(c) WAIVERS AND RELEASES.—Section 10703 of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1403) is amended—

(1) in subsection (d)(1)(A), by striking ''2025'' and inserting ''2030''; and

(2) in subsection (e)(2), in the matter preceding subparagraph (A), by striking ''2025'' and inserting ''2030''.

SEC. 5005. NON-PROJECT WATER FOR USE IN THE STATE OF UTAH.

Section 10602(h) of the Northwestern New Mexico Rural Water Projects Act (Public Law 111–11; 123 Stat. 1382) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (2)'' and inserting ''paragraph (3)'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(2) CONVEYANCE OF NON-PROJECT WATER TO THE STATE OF UTAH.—

''(A) DEFINITIONS.—In this paragraph:

''(i) NAVAJO/UTAH SETTLEMENT AGREEMENT.—The term 'Navajo/Utah Settlement Agreement' means the agreement entitled 'Navajo Nation/State of Utah Water Rights Settlement Agreement', dated May 27, 2022, and authorized by section 1102 of title XI of division FF of Public Law 116–260 (134 Stat. 3224).

''(ii) NAVAJO-UTAH WATER RIGHTS.—The term 'Navajo-Utah water rights' has the meaning given the term 'Navajo water rights' in section 1102(b) of title XI of division FF of Public Law 116–260 (134 Stat. 3225).

''(B) IN GENERAL.—Subject to paragraph (1), the Nation may provide non-Project water to communities of the Nation in the State of Utah, subject to the conditions that—

''(i) not more than 2,000 acre-feet per year of non-Project water may be treated, stored, or conveyed through Project and non-Project infrastructure for the benefit of those communities;

''(ii) any non-Project water treated or conveyed through Project and non-Project infrastructure and delivered to the New Mexico state line for the benefit of those communities shall—

''(I) be considered part of the Navajo-Utah water rights as quantified in section 1102(d)(1)(A) of title XI of division FF of Public Law 116–260 (134 Stat. 3227); and

''(II) be accounted for as a depletion by the Nation to be counted against the apportionment of the State of Utah under the Compact for purposes of the depletion accounting under the Navajo/Utah Settlement Agreement;

''(iii) Project funds shall not be used to design, plan, construct, operate, maintain, or repair any additional infrastructure in the State of New Mexico or any infrastructure in the State of Arizona or Utah to join the Project infrastructure to the Sweetwater pipeline (non-Project infrastructure);

''(iv) the share of any Project Participants' Project operation, maintenance, and replacement costs shall not be increased in connection with the use of non-Project infrastructure;

''(v) the United States shall have no responsibility or obligation to provide non-Project water to those communities under this paragraph and no Federal funding shall be provided for the costs to construct, operate, maintain, and replace any non-Project infrastructure necessary for storage and conveyance of non-Project water from the State of New Mexico to serve those communities except for funds authorized under—

''(I) section 1102 of title XI of division FF of Public Law 116–260 (134 Stat. 3224);

''(II) section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a); and

''(III) the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.);

''(vi) efforts associated with providing non-Project water to those communities shall not delay the Project, or any component of the Project, in a manner that would be prejudicial to any Project Participant; and

''(vii) in addition to the requirements of this paragraph, delivery of non-Project water under this paragraph is subject to—

''(I) the terms of the Navajo/Utah Settlement Agreement;

''(II) the State of Utah issuing a decreed water right pursuant to the terms of the Navajo/Utah Settlement Agreement;

''(III) the State of Utah not incurring additional financial obligations beyond those identified in the Navajo/Utah Settlement Agreement; and

''(IV) the execution of an implementation agreement between the Nation and the State of Utah relating to accounting and measurement of non-Project water under this paragraph to be consistent with the terms of the Navajo/Utah Settlement Agreement.

''(C) CLARIFICATION.—The State of New Mexico shall have no responsibility or obligation to provide—

''(i) non-Project water to communities of the Nation in the State of Utah under this paragraph; or

''(ii) any funding under this paragraph.''.

SA 2141. Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. DESIGNATION OF PAUL S. SARBANES VISITOR AND EDUCATION CENTER.

(a) DESIGNATION.—The visitor and education center at Fort McHenry National Monument and Historic Shrine located at 2400 East Fort Ave, Baltimore, Maryland, is designated as the ''Paul S. Sarbanes Visitor and Education Center''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other document of the United States to the visitor center referred to in subsection (a) shall be deemed to be a reference to the ''Paul S. Sarbanes Visitor and Education Center''.

SA 2142. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place VIII, insert the following:

SEC. 8_____. MODIFICATION OF EVALUATION FACTORS FOR DEFENSE CONTRACTS TO INCLUDE CONSIDERATION OF COST-SAVING POTENTIAL.

Section 3206(c) of title 10, United States Code, is amended—

(1) in paragraph (1)(B), by striking ''Federal Government'' and inserting ''Federal Government, including the potential for the product to provide future cost savings, enable reduced maintenance, or permit more effective use of personnel,''; and

(2) in paragraph (2)—

(A) by striking ''RESTRICTION ON IMPLEMENTING REGULATIONS'' and inserting ''RESTRICTIONS ON IMPLEMENTATION'';

(B) by striking ''The regulations'' and inserting ''(A) The regulations''; and

(C) by adding at the end the following new subparagraph:

''(B) In implementing paragraph (1)(B), the head of an agency may not condition or evaluate cost savings based on an assertion of government purpose rights.''.

SA 2143. Mr. CORNYN submitted an amendment intended to be proposed by

him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORT ON PRICE ELASTICITY OF LABOR SUPPLY AT SHIPYARDS AND SUPPLIER FIRMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report on the price elasticity of the labor supply for the industrial base for building and maintaining naval vessels, including—

(1) private-sector shipyards;

(2) public-sector naval shipyards; and

(3) supplier firms.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the full cost of hiring and training workers at shipyards and supplier firms.

(2) An assessment of the extent to which retention and attrition of workers at shipyards and supplier firms is related to pay and benefits for those workers.

(3) An assessment of the extent to which challenges in recruiting and retaining desired numbers of workers at shipyards and supplier firms can be met by increasing pay and benefits for those workers.

(4) An assessment of the potential impact of such increases in pay and benefits on costs for procuring and maintaining naval vessels.

(5) An assessment of and recommendation for any extraordinary relief that may be appropriate for the fixed-price, multi-year procurement contracts for Virginia-class submarines in order to increase pay and benefits for workers at shipyards and supplier firms under those contracts.

(c) CONTRACT AUTHORITY.—The Secretary of the Navy may contract with a private entity for the preparation of the report required by subsection (c).

(d) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term ''congressional defense committees'' has the meaning given that term in section 101(a) of title 10, United States Code.

SA 2144. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL OF THE DEPARTMENT OF DEFENSE IN THE INDO-PACIFIC.

Section 9905(a) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(15) Any position in Guam, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Federated States of Micronesia, or the Republic of the Marshall Islands supporting military mission or posture requirements in the Indo-Pacific.''.

SA 2145. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DIGITAL ELECTRONICS SYSTEMS ENGINEERING.

(a) IN GENERAL.—Not later than 90 days after enactment of this Act, the Secretary of Defense shall seek to enter into a contract or other agreement with a federally funded research and development center, a university-affiliated research center, or a National Laboratory to conduct an assessment of the implementation by the Department of Defense of digital engineering and modeling for electronics systems.

(b) ELEMENTS.—The assessment required under subsection (a) shall include the following:

(1) The results and lessons learned from the pilot projects conducted by each of the military department as of the date of the enactment of this Act, including any cost and schedule impacts realized by incorporating digital electronic systems engineering and digital twinning.

(2) The resources and timelines required for the development, execution, and sustainment of digital electronic systems engineering to develop hardware accurate digital twins of the electronic systems associated with each current major defense acquisition program.

(3) The resources and timelines required to expand the use of digital electronic systems engineering to programs other than the major defense acquisition programs.

(4) The workforce development and education requirements to support adoption of digital electronic systems engineering and digital twinning.

(5) Recommendations for how to programmatically implement and manage such a digital electronics systems engineering and digital twinning capability to ensure cost efficiency and sufficient capacity to satisfy the digital electronic systems engineering demands for each of the military departments.

(c) RESULTS.—

(1) IN GENERAL.—Following the completion of the assessment under subsection (a), the federally funded research and development center, university-affiliated research center, or National Laboratory shall submit to the Secretary a report on the results of the assessment.

(2) FORM.—The report submitted pursuant to paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) SUBMITTAL TO CONGRESS.—Not later than 60 days after the date the Secretary receives the report under subsection (c), the Secretary shall submit to the congressional defense committees an unaltered copy of the report along with any comments the Secretary may have with respect to the report.

(e) DEFINITIONS.—In this section:

(1) The term ''major defense acquisition program'' has the meaning given that term in section 4201 of title 10, United States Code.

(2) The term ''National Laboratory'' has the meaning given that term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

SA 2146. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. INCREASE IN MAXIMUM BALANCE OF DEFENSE PRODUCTION ACT FUND.

Section 304(e) of the Defense Production Act of 1950 (50 U.S.C. 4534(e)) is amended by striking ''$750,000,000'' each place it appears and inserting ''$1,500,000,000''.

SA 2147. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7_____. REPORT ON MEDICAL INSTRUMENT STERILIZATION.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—The Inspector General of the Defense Health Agency shall conduct a study on the adequacy of sterilization of medical instruments at medical facilities of the Defense Health Agency.

(2) ELEMENTS.—Each study required by paragraph (1) shall include the following elements:

(A) A description of the processes or checks used to ensure medical instruments are sterilized prior to use on patients at medical facilities of the Defense Health Agency.

(B) A description of the policies and processes used to identify and mitigate the use of insufficiently sterilized medical instruments at such medical facilities and the processes and timelines for informing patients of any such near-miss (if any disclosure is required).

(C) An identification of the aggregate number of adverse events or near-misses as a result of insufficiently sterilized medical instruments at such medical facilities during the period beginning on January 1, 2022, and ending on January 1, 2024.

(D) A determination of primary factors that result in insufficiently sterilized medical instruments at such medical facilities.

(E) A description of the extent to which unsterilized medical instruments have impacted the operation of such medical facilities.

(F) An assessment of whether such medical facilities have sufficient—

(i) medical instruments;

(ii) medical devices to timely clean and sterilize medical instruments; and

(iii) staff to sterilize medical instruments.

(G) An assessment of whether staff at such medical facilities are properly trained to sterilize medical instruments.

(H) A determination of the number of surgeries at such medical facilities that were delayed or rescheduled as a result of unsterilized medical instruments.

(I) Recommendations to improve the sterilization of medical instruments at such medical facilities, including an identification

and evaluation of existing options, such as mobile sterilization units and coordinating with community medical centers to expand surgical capacity.

(b) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to Congress a report on the study required by subsection (a), which shall include an action plan to consider and implement the recommendations included in such study.

SA 2148. Mr. CORNYN (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. IDENTIFICATION IN PATIENT MEDICAL RECORDS OF AFFILIATION OF CERTAIN NON-DEPARTMENT OF DEFENSE HEALTH CARE PROVIDERS.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1091 the following new section:

''§ 1091a. Identification in patient medical records of affiliation of certain non-Department of Defense health care providers

''(a) IN GENERAL.—The Secretary of Defense shall ensure that medical records of the Department of Defense include the organizational affiliation of any covered health care provider identified in such medical records.

''(b) COVERED HEALTH CARE PROVIDER DEFINED.—In this section, the term 'covered health care provider' means a health care provider who is not—

''(1) a member of the uniformed services;

''(2) an employee of the Department of Defense;

''(3) an employee of another agency of the Federal Government detailed to the Department of Defense;

''(4) a personal services contractor under section 1091 of this title; or

''(5) a volunteer under section 1588 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1091 the following new item:

''1091a. Identification in patient medical records of affiliation of certain non-Department of Defense health care providers.''.

SA 2149. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. TRANSFER AUTHORITY APPLICABLE TO CERTAIN DEFENSE ACQUISITION PROGRAMS.

(a) IN GENERAL.—Subchapter IV of chapter 322 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 4274. Transfer authority applicable to certain defense acquisition programs

''(a) IN GENERAL.—For a period of up to three years after Milestone B approval or entry into a Middle Tier of Acquisition or Software Acquisition Pathway for a defense acquisition program, the Secretary of Defense may transfer in any fiscal year, in an amount not to exceed applicable standards for below-threshold reprogramming, amounts made available for research, development, test, and evaluation for such program for that fiscal year to amounts made available for procurement for the program for such fiscal year. The authority provided under this subsection is in addition to any other transfer authority available to the Department of Defense.

''(b) NOTIFICATION REQUIREMENT.—The Secretary of Defense shall notify the Congress within 30 days of a transfer made pursuant to the authority provided under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter IV of chapter 322 of title 10, United States Code, is amended by inserting after the item relating to section 4273 the following new item:

''4274. Transfer authority applicable to certain defense acquisition programs.''.

SA 2150. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 6___. PILOT PROGRAMS TO ASSESS FEASIBILITY OF BUDGET-NEUTRALITY FOR DEFENSE COMMISSARY SYSTEM WITH IMPROVED SERVICE.

(a) FINDINGS.—Congress makes the following findings:

(1) The commissary benefit is no longer meeting its original intent in serving families of members of the Armed Forces stationed in austere locations. With commercial grocery stores now located outside every military installation in the continental United States and potentially able to operate commissaries on those installations efficiently without an annual subsidy, providing subsidies for the operation of commissaries may no longer be necessary.

(2) Congress is aware that to keep costs low for commissary customers amid declining year-to-year sales, the Federal Government subsidizes commissaries with taxpayer funds. In 2023, the Defense Commissary Agency received $1,400,000,000 in appropriations, and the President's fiscal year 2025 budget request increases that to $1,570,200,000, despite the funding level constraints imposed by the Fiscal Responsibility Act of 2023 (Public Law 118–5; 137 Stat. 10).

(3) Additionally, supply chain challenges, minimal market share, and availability of better alternatives near most commissary locations are limiting selections, increasing costs, and decreasing patronage at commissaries. Members of the Armed Forces and their families should have affordable access to American-style goods while they are stationed in foreign and remote areas, but reports indicate the shelves are bare in places like Camp Humphreys, South Korea, and costs are higher than they would be for commercial grocery stores. Unlike commercial grocery chains, the costs to supply the Defense Commissary Agency are higher than the costs to supply commercial grocery chains because the Defense Commissary Agency does not have direct control over its supply chain and commissary goods are bought through multiple independent brokers who add their own fees to the cost of products they sell to the commissaries, which raises the costs of the goods. The broker markup can run as much as 30 to 40 percent more than the actual cost of an item. In addition, since the volume of sales at commissaries is relatively small, they do not have the buying power to bring the volume discounts that the major supermarket chains get. Additional broken costs are part of the supply chain inefficiencies that make the Defense Commissary Agency uncompetitive with civilian sector options. The purchasing power of commercial grocers could significantly lower the cost of goods because the leverage those grocers have to obtain quantity discounts offered by suppliers.

(4) While the commissary benefit is designed to save shoppers more than 25 cents on the dollar over other retailers' prices every time they shop, a Government Accountability Office report in June 2022 determined that the Defense Commissary Agency used unreliable and inconsistent methodologies to calculate the annual savings realized by commissary shoppers, resulting in inflated savings. Other reports indicate commissaries sales declined 26 percent from 2015 to 2020, while Nielsen Company retail data demonstrated that private sector retail grocery sales increased 16.60 percent for 2020 alone. From 2019 to 2022, sales at many private sector retail grocery stores were up 51 percent while commissary sales were down 13 percent during the same period. Finally, offbase shopping currently offers options and conveniences not available at commissaries, such as same-day home delivery and extended shopping hours.

(b) PILOT PROGRAMS.—

(1) IN GENERAL.—The Secretary of Defense shall conduct one or more pilot programs to evaluate the feasibility and advisability of processes and methods for achieving budget neutrality in the delivery of commissary and exchange benefits and meeting other applicable benchmarks in accordance with this subsection.

(2) ESTABLISHMENT OF PRICES.—The Secretary shall require any commissary or private sector entity participating in a pilot program carried out under paragraph (1) to establish appropriate prices in response to market conditions and customer demand, provided that the level of savings required by paragraph (4) is maintained.

(3) ESTABLISHMENT OF BENCHMARKS.—

(A) IN GENERAL.—In carrying out pilot programs under paragraph (1), the Secretary shall, with review by the Government Accountability Office, the Nielsen Company, and an independent accounting firm, establish specific, measurable benchmarks for measuring success in the provision of high-quality grocery goods and products, discount savings to patrons, and high levels of customer satisfaction while achieving budget-neutrality in the delivery of commissary and exchange benefits.

(B) USE OF UPS CODES.—In establishing the benchmarks required by subparagraph (A), the Secretary shall ensure that the market basket of goods use for purposes of the benchmarks consists of goods with Universal Product Codes so that identical goods sold by various different retailers can be identified and tracked.

(C) AUDITS.—The baseline of savings for purposes of the benchmarks required by subparagraph (A) shall be audited by the Government Accountability Office, the Nielsen Company, and an independent accounting firm.

(4) REQUIRED SAVINGS TO PATRONS.—

(A) IN GENERAL.—The Secretary shall ensure that the level of savings for commissary patrons under any pilot program carried out under paragraph (1) is not less than the level of savings for such patrons before the implementation of the pilot program, as follows:

(i) Before commencing a pilot program under paragraph (1), the Secretary shall establish a baseline of savings for patrons at each commissary participating in the pilot program by comparing prices charged by the commissary for a representative market basket of goods to prices charged by local competitors for the same market basket of goods.

(ii) After implementing a pilot program under paragraph (1), the Secretary shall ensure that each commissary or private sector entity participating in the pilot program—

(I) conducts market-basket price comparisons not less frequently than once a month; and

(II) adjusts pricing as necessary to ensure that pricing achieves savings for patrons that are reasonably consistent with the baseline savings for the commissary established pursuant to clause (i).

(B) VERIFICATION.—The Secretary shall arrange to have the baseline of savings established under clause (i) of subparagraph (A) and the price comparisons and adjustments required by clause (ii) of that subparagraph validated by the Government Accountability Office, the Nielsen Company, and an independent accounting firm.

(5) WAIVER OF CERTAIN REQUIREMENTS.—In carrying out a pilot program under paragraph (1), the Secretary may waive any requirement of chapter 147 of title 10, United States Code, that the Secretary determines necessary.

(6) DURATION OF AUTHORITY.—

(A) IN GENERAL.—Except as provided by subparagraph (B), the authority of the Secretary to carry out a pilot program under paragraph (1) shall expire on the date that is five years after the date of the enactment of this Act.

(B) EXTENSION.—If a pilot program carried out under paragraph (1) achieves budget-neutrality in the delivery of commissary and exchange benefits and meets other applicable benchmarks, as measured using the benchmarks required by paragraph (3), the Secretary may continue the pilot program for an additional period of not more than 10 years after the date described in subparagraph (A).

(7) REPORTS REQUIRED.—

(A) INITIAL REPORTS.—Not later than 30 days before commencing a pilot program under paragraph (1), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program that includes the following:

(i) A description of the pilot program.

(ii) The provisions, if any, of chapter 147 of title 10, United States Code, that will be waived to carry out the pilot program.

(B) FINAL REPORTS.—Not later than 90 days after the date of the completion of any pilot program carried out under paragraph (1) or the date of the commencement of an extension of a pilot program under paragraph (6)(B), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program that includes the following:

(i) A description and assessment of the pilot program.

(ii) Such recommendations for administrative or legislative action as the Secretary considers appropriate in light of the pilot program.

SA 2151. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LIMITED EXCEPTION TO FUNDING PROHIBITION FOR FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

Section 362(b) of title 10, United States Code, is amended by striking ''has taken all necessary corrective steps'' and inserting ''is taking effective steps''.

SA 2152. Mr. CORNYN (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10____. PERIODIC REVIEW OF AUTOMATIC MAXIMUM COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE.

(a) IN GENERAL.—Subchapter III of chapter 19 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1980B. Periodic review of automatic maximum coverage

''(a) IN GENERAL.—On January 1, 2025, and every five years thereafter, the Secretary shall—

''(1) complete a review of how the amount specified in section 1967(a)(3)(A)(i) compares to the amount described in subsection (b); and

''(2) submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate the results of the review, which may serve as a guide for coverage increases within the existing administrative incremental structure.

''(b) AMOUNT DESCRIBED.—The amount described in this subsection is the amount equal to—

''(1) $500,000; multiplied by

''(2) the average percentage by which the Consumer Price Index changed during the five fiscal years preceding the review under subsection (a).

''(c) CONSUMER PRICE INDEX DEFINED.—In this section, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 of such title is amended by inserting after the item relating to section 1980A the following new item:

''1980B. Periodic review of automatic maximum coverage.''.

SA 2153. Mr. CORNYN (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. INCREASED REPORTING REGARDING DEPARTMENT OF STATE TAIWAN GUIDELINES.

Section 315 of the Taiwan Assurance Act of 2020 (subtitle B of title III of division FF of Public Law 116–260; 134 Stat. 3100) is amended—

(1) in subsection (c)(1), by inserting ''and any successor document or related document that includes guidance on relations with Taiwan'' after ''memorandum''; and

(2) by adding at the end the following new subsection:

''(d) PERIODIC REVIEWS AND UPDATED REPORTS.—

''(1) IN GENERAL.—For as long as the Department of State maintains guidance that governs relations with Taiwan as described in subsection (a), the Secretary of State shall—

''(A) not less than every four years, conduct a review of the Department of State's guidance that governs relations with Taiwan, including the periodic memorandum entitled, 'Guidelines on Relations with Taiwan' and related documents, and reissue such guidance to executive branch departments and agencies; and

''(B) not later than 90 days after completing a review required by paragraph (1)(A), submit an updated report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

''(2) MATTERS TO BE INCLUDED.—The updated reports required under paragraph (1)(B) shall include—

''(A) all the information required under subsection (c);

''(B) a description of how the updated guidance meets the goals and objectives described in subsection (b); and

''(C) an identification of self-imposed restrictions on relations with Taiwan lifted by the Secretary of State in the most recent updated guidance, including the periodic memorandum entitled 'Guidelines on Relations with Taiwan' and related documents.''.

SA 2154. Mr. CORNYN (for himself, Mr. WHITEHOUSE, Mr. GRASSLEY, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. [_____]. TREATMENT OF CERTAIN EXEMPTIONS UNDER FARA.

(a) EXEMPTIONS.—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended—

(1) in the matter preceding subsection (a), by inserting '', except as provided in subsection (i)'' after ''principals''; and

(2) by adding at the end the following:

''(i) LIMITATIONS.—

''(1) IN GENERAL.—The exemptions under subsection (d)(1), (d)(2), or (h) shall not apply to any agent of a foreign principal, wherever located, that is owned or controlled by 1 of the identified countries described in paragraph (2).

''(2) IDENTIFIED COUNTRIES.—The countries described in this paragraph are:

''(A) The People's Republic of China.

''(B) The Russian Federation.

''(C) The Islamic Republic of Iran.''.

(b) MODIFICATION TO COUNTRIES.—

(1) IN GENERAL.—The Secretary of State may, in consultation with the Attorney General of the United States, propose the addition or deletion of countries described in section 3(i) of the Foreign Agents Registration Act of 1938, as amended, as added by this Act.

(2) SUBMISSION.—Any proposal described in paragraph (1)—

(A) shall be submitted to the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate and the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives; and

(B) shall become effective upon enactment of a joint resolution of approval as described in subsection (c).

(c) JOINT RESOLUTION OF APPROVAL.—

(1) IN GENERAL.—For purposes of subsection (b), the term ''joint resolution of approval'' means only a joint resolution—

(A) that does not have a preamble;

(B) that includes in the matter after the resolving clause the following: ''That Congress approves the modification of countries relating to the treatment of certain exemptions under the Foreign Agents Registration Act of 1938, as amended, as submitted by the Secretary of State on _____; and section 3(i) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613) is amended by _____.'', the blank spaces being appropriately filled in with the appropriate date and the amendatory language required to add or delete 1 or more countries from the list of countries described in section 3(i) of the Foreign Agents Registration Act of 1938, as amended, as added by subsection (a)(2) of this section, respectively; and

(C) the title of which is as follows: ''Joint resolution approving modifications to countries relating to the treatment of certain exemptions under the Foreign Agents Registration Act of 1938, as amended.''

(2) REFERRAL.—

(A) SENATE.—A resolution described in this subsection that is introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate.

(B) HOUSE OF REPRESENTATIVES.—A resolution described in this subsection that is introduced in the House of Representatives shall be referred to the Committee on the Judiciary of the House of Representatives.

(d) SUNSET.—The amendments made by this section shall terminate on October 1, 2028.

SA 2155. Mr. CORNYN (for himself, Mr. COONS, Mrs. SHAHEEN, and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12_____. EXTENSION AND MODIFICATION OF LEND-LEASE AUTHORITY TO UKRAINE.

Section 2 of the Ukraine Democracy Defense Lend-Lease Act of 2022 (Public Law 117–118; 136 Stat. 1184) is amended—

(1) in subsection (a)(1), by striking ''fiscal years 2022 and 2023'' and inserting ''fiscal years 2022 through 2026'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) REPORT.—Not later than 90 days after the use of the authority under subsection (a), the Secretary of Defense shall submit to Congress a report that includes—

''(1) a description of the defense articles loaned or leased to the Government of Ukraine, or to the government of an Eastern European country impacted by the Russian Federation's invasion of Ukraine, under such authority; and

''(2) a strategy and timeline for recovery and return of such defense articles.''.

SA 2156. Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ADVERSE INFORMATION ABOUT CONSUMERS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD OR HELD HOSTAGE ABROAD.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by inserting after section 605C the following:

''§ 605D. Adverse information about consumers unlawfully or wrongfully detained abroad or held hostage abroad

''(a) DEFINITIONS.—In this section:

''(1) COVERED CONSUMER.—The term 'covered consumer' means an individual who has been—

''(A) a United States national unlawfully or wrongfully detained abroad, as determined under section 302(a) of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741(a)); or

''(B) a United States national taken hostage abroad, as determined by the Hostage Recovery Fusion Cell (as described in section 304 of the Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act (22 U.S.C. 1741b).

''(2) DETENTION OR HOSTAGE DOCUMENTATION.—The term 'detention or hostage documentation' means—

''(A) documentation of a determination that a consumer is a covered consumer, including the time period during which the consumer was a covered consumer made by a Federal entity; and

''(B) documentation that identifies items of adverse information that should not be furnished by a consumer reporting agency because the items were about a consumer during the time period the consumer was a covered consumer.

''(b) ADVERSE INFORMATION.—A consumer reporting agency may not furnish a consumer report containing any adverse item of information about a covered consumer if the covered consumer has provided detention or hostage documentation to the consumer reporting agency.

''(c) RULEMAKING.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Director shall issue rules to implement subsection (a).

''(2) CONTENTS.—The rules issued pursuant to paragraph (1) shall establish a method by which consumers or legal representatives of consumers shall submit detention or hostage documentation to consumer reporting agencies.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Fair Credit Reporting Act is amended by inserting after the item relating to section 605C the following:

''605D. Adverse information about consumers unlawfully or wrongfully detained abroad or held hostage abroad.''.

(c) APPLICATION.—The amendments made by this section shall apply on the date that is 30 days after the date on which the Director of the Bureau of Consumer Financial Protection issues a rule pursuant to section 605D(c) of the Fair Credit Reporting Act, as added by subsection (a) of this section. Any rule issued by the Director to implement such section 605D shall be limited to preventing a consumer reporting agency from furnishing a consumer report containing any adverse item of information about a covered consumer (as such terms are defined, respectively, in section 603 the Fair Credit Reporting Act (15 U.S.C. 1681a)).

SA 2157. Mr. COONS (for himself, Mr. CORNYN, Ms. HIRONO, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROTECTING AND ENHANCING PUBLIC ACCESS TO CODES.

(a) FINDINGS.—Congress finds the following:

(1) Congress, the executive branch, and State and local governments have long recognized that the people of the United States benefit greatly from the work of private standards development organizations with expertise in highly specialized areas.

(2) The organizations described in paragraph (1) create technical standards and voluntary consensus standards through a process requiring openness, balance, consensus, and due process to ensure all interested parties have an opportunity to participate in standards development.

(3) The standards that result from the process described in paragraph (2) are used by private industry, academia, the Federal Government, and State and local governments that incorporate those standards by reference into laws and regulations.

(4) The standards described in paragraph (3) further innovation, commerce, and public safety, all without cost to governments or taxpayers because standards development organizations fund the process described in

paragraph (2) through the sale and licensing of their standards.

(5) Congress and the executive branch have repeatedly declared that, wherever possible, governments should rely on voluntary consensus standards and have set forth policies and procedures by which those standards are incorporated by reference into laws and regulations and that balance the interests of access with protection for copyright.

(6) Circular A-119 of the Office of Management and Budget entitled ''Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities'', issued in revised form on January 27, 2016, recognizes the benefits of voluntary consensus standards and incorporation by reference, stating that ''[i]f a standard is used and published in an agency document, your agency must observe and protect the rights of the copyright holder and meet any other similar obligations.''.

(7) Federal agencies have relied extensively on the incorporation by reference system to leverage the value of technical standards and voluntary consensus standards for the benefit of the public, resulting in more than 23,000 sections in the Code of Federal Regulations that incorporate by reference technical and voluntary consensus standards.

(8) State and local governments have also recognized that technical standards and voluntary consensus standards are critical to protecting public health and safety, which has resulted in many such governments—

(A) incorporating those standards by reference into their laws and regulations; or

(B) entering into license agreements with standards development organizations to use the standards created by those organizations.

(9) Standards development organizations rely on copyright protection to generate the revenues necessary to fund the voluntary consensus process and to continue creating and updating these important standards.

(10) The people of the United States have a strong interest in—

(A) ensuring that standards development organizations continue to utilize a voluntary consensus process—

(i) in which all interested parties can participate; and

(ii) that continues to create and update standards in a timely manner to—

(I) account for technological advances;

(II) address new threats to public health and safety; and

(III) improve the usefulness of those standards; and

(B) the provision of access that allows people to read technical and voluntary consensus standards that are incorporated by reference into laws and regulations.

(11) As of the date of enactment of this Act, many standards development organizations make their standards available to the public free of charge online in a manner that does not substantially disrupt the ability of those organizations to earn revenue from the industries and professionals that purchase copies and subscription-access to those standards (such as through read-only access), which ensures that the public may read the current, accurate version of such a standard without significantly interfering with the revenue model that has long supported those organizations and their creation of, and investment in, new standards.

(12) Through this section, and the amendments made by this section, Congress intends to balance the goals of furthering the creation of standards and ensuring public access to standards that are incorporated by reference into law or regulation.

(b) WORKS INCORPORATED BY REFERENCE INTO LAW.—

(1) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by adding at the end the following:

''§ 123. Works incorporated by reference into law

''(a) DEFINITIONS.—In this section:

''(1) CIRCULAR A–119.—The term 'Circular A–119' means Circular A–119 of the Office of Management and Budget entitled 'Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities', issued in revised form on January 27, 2016.

''(2) INCORPORATED BY REFERENCE.—

''(A) IN GENERAL.—The term 'incorporated by reference' means, with respect to a standard, that the text of a Federal, State, local, or municipal law or regulation—

''(i) references all or part of the standard; and

''(ii) does not copy the text of that standard directly into that law or regulation.

''(B) APPLICATION.—The creation or publication of a work that includes both the text of a law or regulation and all or part of a standard that has been incorporated by reference, as described in subparagraph (A), shall not affect the status of the standard as incorporated by reference under that subparagraph.

''(3) PUBLICLY ACCESSIBLE ONLINE.—

''(A) IN GENERAL.—The term 'publicly accessible online', with respect to material, means that the material is displayed for review in a readily accessible manner on a public website that is compliant with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), including the regulations implementing that section, as set forth in part 1194 of title 36, Code of Federal Regulations, or any successor regulations.

''(B) RULE OF CONSTRUCTION.—If a user is required to create an account or agree to the terms of service of a website or organization in order to access material online, that requirement shall not be construed to render the material not publicly accessible online for the purposes of subparagraph (A), if—

''(i) there is no monetary cost to the user to access that material; and

''(ii) no personally identifiable information collected pursuant to such a requirement is used without the affirmative and express consent of the user.

''(4) STANDARD.—The term 'standard' means a standard or code that is—

''(A) a technical standard, as that term is defined in section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note); or

''(B) a voluntary consensus standard, as that term is used for the purposes of Circular A-119.

''(5) STANDARDS DEVELOPMENT ORGANIZATION.—The term 'standards development organization' means a holder of a copyright under this title that plans, develops, establishes, or coordinates voluntary consensus standards using procedures that incorporate the attributes of openness, balance of interests, due process, an appeals process, and consensus in a manner consistent with the requirements of Circular A–119.

''(b) STANDARDS INCORPORATED BY REFERENCE INTO LAW OR REGULATION.—A standard to which copyright protection subsists under section 102(a) at the time of its fixation shall retain such protection, notwithstanding that the standard is incorporated by reference, if the applicable standards development organization, within a reasonable period of time after obtaining actual or constructive notice that the standard has been incorporated by reference, makes all portions of the standard so incorporated—

''(1) publicly accessible online at no monetary cost; and

''(2) in a format that includes a searchable table of contents and index (or equivalent aids) to facilitate finding the location of specific content.

''(c) BURDEN OF PROOF.—In any proceeding in which a party asserts that a standards development organization has failed to comply with the requirements under subsection (b) for retaining copyright protection with respect to a standard, the burden of proof shall be on the party making that assertion to prove that the standards development organization has failed to comply with those requirements.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 17, United States Code, is amended by adding at the end the following:

''123. Works incorporated by reference into law.''.

SA 2158. Mr. KELLY (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SEMICONDUCTOR PROGRAM.

Title XCIX of division H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651 et seq.) is amended—

(1) in section 9902 (15 U.S.C. 4652)—

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

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

''(h) AUTHORITY RELATING TO ENVIRONMENTAL REVIEW.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the provision by the Secretary of Federal financial assistance for a project described in this section that satisfies the requirements under subsection (a)(2)(C)(i) of this section shall not be considered to be a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) (referred to in this subsection as 'NEPA') or an undertaking for the purposes of division A of subtitle III of title 54, United States Code, if—

''(A) the activity described in the application for that project has commenced not later than December 31, 2024;

''(B) the Federal financial assistance provided is in the form of a loan or loan guarantee; or

''(C) the Federal financial assistance provided, excluding any loan or loan guarantee, comprises not more than 10 percent of the total estimated cost of the project.

''(2) SAVINGS CLAUSE.—Nothing in this subsection may be construed as altering whether an activity described in subparagraph (A), (B), or (C) of paragraph (1) is considered to be a major Federal action under NEPA, or an undertaking under division A of subtitle III of title 54, United States Code, for a reason other than that the activity is eligible for Federal financial assistance provided under this section.''; and

(2) in section 9909 (15 U.S.C. 4659), by adding at the end the following:

''(c) LEAD FEDERAL AGENCY AND COOPERATING AGENCIES.—

''(1) DEFINITION.—In this subsection, the term 'lead agency' has the meaning given the term in section 111 of NEPA (42 U.S.C. 4336e).

''(2) OPTION TO SERVE AS LEAD AGENCY.—With respect to a covered activity that is a major Federal action under NEPA, and with respect to which the Department of Commerce is authorized or required by law to issue an authorization or take action for or relating to that covered activity, the Department of Commerce shall have the first right to serve as the lead agency with respect to that covered activity under NEPA.

''(d) CATEGORICAL EXCLUSIONS.—

''(1) ESTABLISHMENT OF CATEGORICAL EXCLUSIONS.—Each of the following categorical exclusions is established for the National Institute of Standards and Technology with respect to a covered activity and, beginning on the date of enactment of this subsection, is available for use by the Secretary with respect to a covered activity:

''(A) Categorical exclusion 17.04.d (relating to the acquisition of machinery and equipment) in the document entitled 'EDA Program to Implement the National Environmental Policy Act of 1969 and Other Federal Environmental Mandates As Required' (Directive No. 17.02–2; effective date October 14, 1992).

''(B) Categorical exclusion A9 in Appendix A to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(C) Categorical exclusions B1.24, B1.31, B2.5, and B5.1 in Appendix B to subpart D of part 1021 of title 10, Code of Federal Regulations, or any successor regulation.

''(D) The categorical exclusions described in paragraphs (4) and (13) of section 50.19(b) of title 24, Code of Federal Regulations, or any successor regulation.

''(E) Categorical exclusion (c)(1) in Appendix B to part 651 of title 32, Code of Federal Regulations, or any successor regulation.

''(F) Categorical exclusions A2.3.8 and A2.3.14 in Appendix B to part 989 of title 32, Code of Federal Regulations, or any successor regulation.

''(2) ADDITIONAL CATEGORICAL EXCLUSIONS.—Notwithstanding any other provision of law, each of the following shall be treated as a category of action categorically excluded from the requirements relating to environmental assessments and environmental impact statements under section 1501.4 of title 40, Code of Federal Regulations, or any successor regulation:

''(A) The provision by the Secretary of any Federal financial assistance for a project described in section 9902, if the facility that is the subject of the project is on or adjacent to a site—

''(i) that is owned or leased by the covered entity to which Federal financial assistance is provided for that project; and

''(ii) on which, as of the date on which the Secretary provides that Federal financial assistance, substantially similar construction, expansion, or modernization is being or has been carried out, such that the facility would not more than double existing developed acreage or on-site supporting infrastructure.

''(B) The provision by the Secretary of Defense of any Federal financial assistance relating to—

''(i) the creation, expansion, or modernization of one or more facilities described in the second sentence of section 9903(a)(1); or

''(ii) carrying out section 9903(b), as in effect on the date of enactment of this subsection.

''(C) Any activity undertaken by the Secretary relating to carrying out section 9906, as in effect on the date of enactment of this subsection.

''(e) INCORPORATION OF PRIOR PLANNING DECISIONS.—

''(1) DEFINITION.—In this subsection, the term 'prior studies and decisions' means baseline data, planning documents, studies, analyses, decisions, and documentation that a Federal agency has completed for a project (or that have been completed under the laws and procedures of a State or Indian Tribe), including for determining the reasonable range of alternatives for that project.

''(2) RELIANCE ON PRIOR STUDIES AND DECISIONS.—In completing an environmental review under NEPA for a covered activity, the Secretary may consider and, as appropriate, rely on or adopt prior studies and decisions, if the Secretary determines that—

''(A) those prior studies and decisions meet the standards for an adequate statement, assessment, or determination under applicable procedures of the Department of Commerce implementing the requirements of NEPA;

''(B) in the case of prior studies and decisions completed under the laws and procedures of a State or Indian Tribe, those laws and procedures are of equal or greater rigor than those of each applicable Federal law, including NEPA, implementing procedures of the Department of Commerce; or

''(C) if applicable, the prior studies and decisions are informed by other analysis or documentation that would have been prepared if the prior studies and decisions were prepared by the Secretary under NEPA.

''(f) DEFINITIONS.—In this section:

''(1) COVERED ACTIVITY.—The term 'covered activity' means any activity relating to the construction, expansion, or modernization of a facility, the investment in which is eligible for Federal financial assistance under section 9902 or 9906.

''(2) NEPA.—The term 'NEPA' means the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).''.

SA 2159. Mr. PETERS (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. COUNTER-UAS AUTHORITIES.

(a) SHORT TITLE.—This section may be cited as the ''Safeguarding the Homeland from the Threats Posed by Unmanned Aircraft Systems Act of 2024''.

(b) DEPARTMENT OF HOMELAND SECURITY AND DEPARTMENT OF JUSTICE UNMANNED AIRCRAFT SYSTEM DETECTION AND MITIGATION ENFORCEMENT AUTHORITY.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by striking section 210G (6 U.S.C. 124n) and inserting the following:

''SEC. 210G. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

''(a) DEFINITIONS.—In this section:

''(1) The term 'air navigation facility' has the meaning given the term in section 40102(a) of title 49, United States Code.

''(2) The term 'airport' has the meaning given the term in section 47102 of title 49, United States Code.

''(3) The term 'appropriate committees of Congress' means—

''(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on the Judiciary of the Senate; and

''(B) the Committee on Homeland Security, the Committee on Transportation and Infrastructure, the Committee on Oversight and Accountability, the Committee on Energy and Commerce, and the Committee on the Judiciary of the House of Representatives.

''(4) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31, United States Code.

''(5) The term 'covered facility or asset' means any facility or asset that—

''(A) is identified as high-risk and a potential target for unlawful unmanned aircraft or unmanned aircraft system activity by the Secretary or the Attorney General, or by the chief executive of the jurisdiction in which a State, local, Tribal, or territorial law enforcement agency designated pursuant to subsection (d)(2) operates after review and approval of the Secretary or the Attorney General, in coordination with the Secretary of Transportation with respect to potentially impacted airspace, through a risk-based assessment for purposes of this section (except that in the case of the missions described in clauses (i)(II) and (iii)(I) of subparagraph (C), such missions shall be presumed to be for the protection of a facility or asset that is assessed to be high-risk and a potential target for unlawful unmanned aircraft or unmanned aircraft system activity);

''(B) is located in the United States; and

''(C) directly relates to 1 or more—

''(i) missions authorized to be performed by the Department, consistent with governing statutes, regulations, and orders issued by the Secretary, pertaining to—

''(I) security or protection functions of U.S. Customs and Border Protection, including securing or protecting facilities, aircraft, and vessels, whether moored or underway;

''(II) United States Secret Service protection operations pursuant to sections 3056(a) and 3056A(a) of title 18, United States Code, and the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note);

''(III) protection of facilities pursuant to section 1315(a) of title 40, United States Code;

''(IV) transportation security functions of the Transportation Security Administration; or

''(V) the security or protection functions for facilities, assets, and operations of Homeland Security Investigations;

''(ii) missions authorized to be performed by the Department of Justice, consistent with governing statutes, regulations, and orders issued by the Attorney General, pertaining to—

''(I) personal protection operations by—

''(aa) the Federal Bureau of Investigation as specified in section 533 of title 28, United States Code; or

''(bb) the United States Marshals Service as specified in section 566 of title 28, United States Code;

''(II) protection of penal, detention, and correctional facilities and operations conducted by the Federal Bureau of Prisons and prisoner operations and transport conducted by the United States Marshals Service;

''(III) protection of the buildings and grounds leased, owned, or operated by or for the Department of Justice, and the provision of security for Federal courts, as specified in section 566 of title 28, United States Code; or

''(IV) protection of an airport or air navigation facility;

''(iii) missions authorized to be performed by the Department or the Department of Justice, acting together or separately, consistent with governing statutes, regulations, and orders issued by the Secretary or the Attorney General, respectively, pertaining to—

''(I) protection of National Special Security Events and Special Event Assessment Rating events;

''(II) the provision of support to a State, local, Tribal, or territorial law enforcement agency, upon request of the chief executive officer of the State or territory, to ensure protection of people and property at mass gatherings, that is limited to a specified duration and location, within available resources, and without delegating any authority under this section to State, local, Tribal, or territorial law enforcement;

''(III) protection of an active Federal law enforcement investigation, emergency response, or security function, that is limited to a specified duration and location; or

''(IV) the provision of security or protection support to critical infrastructure owners or operators, for static critical infrastructure facilities and assets upon the request of the owner or operator;

''(iv) missions authorized to be performed by the United States Coast Guard, including those described in clause (iii) as directed by the Secretary, and as further set forth in section 528 of title 14, United States Code, and consistent with governing statutes, regulations, and orders issued by the Secretary of the Department in which the Coast Guard is operating; and

''(v) responsibilities of State, local, Tribal, and territorial law enforcement agencies designated pursuant to subsection (d)(2) pertaining to—

''(I) protection of National Special Security Events and Special Event Assessment Rating events or other mass gatherings in the jurisdiction of the State, local, Tribal, or territorial law enforcement agency;

''(II) protection of critical infrastructure assessed by the Secretary as high-risk for unmanned aircraft systems or unmanned aircraft attack or disruption, including airports in the jurisdiction of the State, local, Tribal, or territorial law enforcement agency;

''(III) protection of government buildings, assets, or facilities in the jurisdiction of the State, local, Tribal, or territorial law enforcement agency; or

''(IV) protection of disaster response in the jurisdiction of the State, local, Tribal, or territorial law enforcement agency.

''(6) The term 'critical infrastructure' has the meaning given the term in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

''(7) The terms 'electronic communication', 'intercept', 'oral communication', and 'wire communication' have the meanings given those terms in section 2510 of title 18, United States Code.

''(8) The term 'homeland security or justice budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Secretary and the Attorney General in support of the budget for that fiscal year.

''(9)(A) The term 'personnel' means—

''(i) an officer, employee, or contractor of the Department or the Department of Justice, who is authorized to perform duties that include safety, security, or protection of people, facilities, or assets; or

''(ii) an employee who—

''(I) is authorized to perform law enforcement and security functions on behalf of a State, local, Tribal, or territorial law enforcement agency designated under subsection (d)(2); and

''(II) is trained and certified to perform those duties, including training specific to countering unmanned aircraft threats and mitigating risks in the national airspace, including with respect to protecting privacy and civil liberties.

''(B) To qualify for use of the authorities described in subsection (b) or (c), respectively, a contractor conducting operations described in those subsections shall—

''(i) be directly contracted by the Department or the Department of Justice;

''(ii) operate at a government-owned or government-leased facility or asset;

''(iii) not conduct inherently governmental functions;

''(iv) be trained to safeguard privacy and civil liberties; and

''(v) be trained and certified by the Department or the Department of Justice to meet the established guidance and regulations of the Department or the Department of Justice, respectively.

''(C) For purposes of subsection (c)(1), the term 'personnel' includes any officer, employee, or contractor who is authorized to perform duties that include the safety, security, or protection of people, facilities, or assets, of—

''(i) a State, local, Tribal, or territorial law enforcement agency; and

''(ii) an owner or operator of an airport or critical infrastructure.

''(10) The term 'risk-based assessment' means an evaluation of threat information specific to a covered facility or asset and, with respect to potential impacts on the safety and efficiency of the national airspace system and the needs of law enforcement and national security at each covered facility or asset identified by the Secretary or the Attorney General, respectively, of each of the following factors:

''(A) Potential impacts to safety, efficiency, and use of the national airspace system, including potential effects on manned aircraft and unmanned aircraft systems or unmanned aircraft, aviation safety, airport operations, infrastructure, and air navigation services relating to the use of any system or technology for carrying out the actions described in subsection (e)(2).

''(B) Options for mitigating any identified impacts to the national airspace system relating to the use of any system or technology, including minimizing, when possible, the use of any technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (e)(2).

''(C) Potential consequences of the impacts of any actions taken under subsection (e)(2) to the national airspace system and infrastructure if not mitigated.

''(D) The ability to provide reasonable advance notice to aircraft operators consistent with the safety of the national airspace system and the needs of law enforcement and national security.

''(E) The setting and character of any covered facility or asset, including—

''(i) whether the covered facility or asset is located in a populated area or near other structures;

''(ii) whether the covered facility or asset is open to the public;

''(iii) whether the covered facility or asset is used for nongovernmental functions; and

''(iv) any potential for interference with wireless communications or for injury or damage to persons or property.

''(F) The setting, character, duration, and national airspace system impacts of National Special Security Events and Special Event Assessment Rating events, to the extent not already discussed in the National Special Security Event and Special Event Assessment Rating nomination process.

''(G) Potential consequences to national security, public safety, or law enforcement if threats posed by unmanned aircraft systems or unmanned aircraft are not mitigated or defeated.

''(H) Civil rights and civil liberties guaranteed by the First and Fourth Amendments to the Constitution of the United States.

''(11) The terms 'unmanned aircraft' and 'unmanned aircraft system' have the meanings given those terms in section 44801 of title 49, United States Code.

''(b) AUTHORITY OF THE DEPARTMENT OF HOMELAND SECURITY AND DEPARTMENT OF JUSTICE.—Notwithstanding section 46502 of title 49, United States Code, or sections 32, 1030, 1367, and chapters 119 and 206 of title 18, United States Code, the Secretary and the Attorney General may, for their respective Departments, take, and may authorize personnel with assigned duties that include the safety, security, or protection of people, facilities, or assets to take, actions described in subsection (e)(2) that are necessary to detect, identify, monitor, track, and mitigate a credible threat (as defined by the Secretary and the Attorney General, in consultation with the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

''(c) ADDITIONAL LIMITED AUTHORITY FOR DETECTION, IDENTIFICATION, MONITORING, AND TRACKING.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), and notwithstanding sections 1030 and 1367 and chapters 119 and 206 of title 18, United States Code, any State, local, Tribal, or territorial law enforcement agency, the Department of Justice, the Department, and any owner or operator of an airport or critical infrastructure may authorize personnel, with assigned duties that include the safety, security, or protection of people, facilities, or assets, to use equipment authorized under this subsection to take actions described in subsection (e)(1) that are necessary to detect, identify, monitor, or track an unmanned aircraft system or unmanned aircraft within the respective areas of responsibility or jurisdiction of the authorized personnel.

''(2) AUTHORIZED EQUIPMENT.—Equipment authorized for unmanned aircraft system detection, identification, monitoring, or tracking under this subsection shall be limited to systems or technologies—

''(A) tested and evaluated by the Department or the Department of Justice, including evaluation of any potential counterintelligence or cybersecurity risks;

''(B) that are annually reevaluated for any changes in risks, including counterintelligence and cybersecurity risks;

''(C) determined by the Federal Communications Commission and the National Telecommunications and Information Administration not to adversely impact the use of the communications spectrum;

''(D) determined by the Federal Aviation Administration not to adversely impact the use of the aviation spectrum or otherwise adversely impact the national airspace system; and

''(E) that are included on a list of authorized equipment maintained by the Department, in coordination with the Department of Justice, the Federal Aviation Administration, the Federal Communications Commission, and the National Telecommunications and Information Administration.

''(3) STATE, LOCAL, TRIBAL, AND TERRITORIAL COMPLIANCE.—Each State, local, Tribal, or territorial law enforcement agency or owner or operator of an airport or critical infrastructure acting pursuant to this subsection shall—

''(A) prior to any such action, issue a written policy certifying compliance with the privacy protections of subparagraphs (A) through (D) of subsection (j)(2);

''(B) certify compliance with such policy to the Secretary and the Attorney General annually, and immediately notify the Secretary and Attorney General of any noncompliance with such policy or the privacy protections of subparagraphs (A) through (D) of subsection (j)(2); and

''(C) comply with any additional guidance issued by the Secretary or the Attorney General relating to implementation of this subsection.

''(4) PROHIBITION.—Nothing in this subsection shall be construed to authorize the taking of any action described in subsection (e) other than the actions described in paragraph (1) of that subsection.

''(d) PILOT PROGRAM FOR STATE, LOCAL, TRIBAL, AND TERRITORIAL LAW ENFORCEMENT.—

''(1) IN GENERAL.—The Secretary and the Attorney General may carry out a pilot program to evaluate the potential benefits of State, local, , and territorial law enforcement agencies taking actions that are necessary to mitigate a credible threat (as defined by the Secretary and the Attorney General, in consultation with the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

''(2) DESIGNATION.—

''(A) IN GENERAL.—The Secretary or the Attorney General, with the concurrence of the Secretary of Transportation (acting through the Administrator of the Federal Aviation Administration), may, under the pilot program established under paragraph (1), designate 1 or more State, local, , or territorial law enforcement agencies approved by the respective chief executive officer of the State, local, , or territorial law enforcement agency to engage in the activities authorized in paragraph (4) under the direct oversight of the Department or the Department of Justice, in carrying out the responsibilities authorized under subsection (a)(5)(C)(v).

''(B) DESIGNATION PROCESS.—

''(i) NUMBER OF AGENCIES AND DURATION.—On and after the date that is 180 days after the date of enactment of the Safeguarding the Homeland from the Threats Posed by Unmanned Aircraft Systems Act of 2024, the Secretary and the Attorney General, pursuant to subparagraph (A), may designate a combined total of not more than 12 State, local, , and territorial law enforcement agencies for participation in the pilot program, and may designate 12 additional State, local, , and territorial law enforcement agencies each year thereafter, provided that not more than 60 State, local, , and territorial law enforcement agencies in total may be designated during the 5-year period of the pilot program.

''(ii) REVOCATION.—The Secretary and the Attorney General, in consultation with the Secretary of Transportation (acting through the Administrator of the Federal Aviation Administration)—

''(I) may revoke a designation under subparagraph (A) if the Secretary, Attorney General, and Secretary of Transportation (acting through the Administrator of the Federal Aviation Administration) concur in the revocation; and

''(II) shall revoke a designation under subparagraph (A) if the Secretary, the Attorney General, or the Secretary of Transportation (acting through the Administrator of the Federal Aviation Administration) withdraws concurrence.

''(3) TERMINATION OF PILOT PROGRAM.—

''(A) DESIGNATION.—The authority to designate an agency for inclusion in the pilot program established under this subsection shall terminate 5 years after the date that is 180 days after the date of enactment of the Safeguarding the Homeland from the Threats Posed by Unmanned Aircraft Systems Act of 2024.

''(B) AUTHORITY OF PILOT PROGRAM AGENCIES.—The authority of an agency designated under the pilot program established under this subsection to exercise any of the authorities granted under the pilot program shall terminate not later than 6 years after the date that is 180 days after the date of enactment of the Safeguarding the Homeland from the Threats Posed by Unmanned Aircraft Systems Act of 2024, or upon revocation pursuant to paragraph (2)(B)(ii).

''(4) AUTHORIZATION.—Notwithstanding section 46502 of title 49, United States Code, or sections 32, 1030, 1367, and chapters 119 and 206 of title 18, United States Code, any State, local, , or territorial law enforcement agency designated pursuant to paragraph (2) may authorize personnel with assigned duties that include the safety, security, or protection of people, facilities, or assets to take such actions as are described in subsection (e)(2) that are necessary to detect, identify, monitor, track, or mitigate a credible threat (as defined by the Secretary and the Attorney General, in consultation with the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset in carrying out the responsibilities authorized under subsection (a)(5)(C)(v).

''(5) EXEMPTION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Chair of the Federal Communications Commission, in consultation with the Administrator of the National Telecommunications and Information Administration, shall implement a process for considering the exemption of 1 or more law enforcement agencies designated under paragraph (2), or any station operated by the agency, from any provision of title III of the Communications Act of 1934 (47 U.S.C. 151 et seq.) to the extent that the designated law enforcement agency takes such actions as are described in subsection (e)(2) and may establish conditions or requirements for such exemption.

''(B) REQUIREMENTS.—The Chair of the Federal Communications Commission, in consultation with the Administrator of the National Telecommunications and Information Administration, may grant an exemption under subparagraph (A) only if the Chair of the Federal Communications Commission in consultation with the Administrator of the National Telecommunications and Information Administration finds that the grant of an exemption—

''(i) is necessary to achieve the purposes of this subsection; and

''(ii) will serve the public interest.

''(C) REVOCATION.—Any exemption granted under subparagraph (A) shall terminate automatically if the designation granted to the law enforcement agency under paragraph (2)(A) is revoked by the Secretary or the Attorney General under paragraph (2)(B)(ii) or is terminated under paragraph (3)(B).

''(6) REPORTING.—Not later than 2 years after the date on which the first law enforcement agency is designated under paragraph (2), and annually thereafter for the duration of the pilot program, the Secretary and the Attorney General shall inform the appropriate committees of Congress in writing of the use by any State, local, , or territorial law enforcement agency of any authority granted pursuant to paragraph (4), including a description of any privacy or civil liberties complaints known to the Secretary or Attorney General in connection with the use of that authority by the designated agencies.

''(7) RESTRICTIONS.—Any entity acting pursuant to the authorities granted under this subsection—

''(A) may do so only using equipment authorized by the Department, in coordination with the Department of Justice, the Federal Communications Commission, the National Telecommunications and Information Administration, and the Department of Transportation (acting through the Federal Aviation Administration) according to the criteria described in subsection (c)(2);

''(B) shall, prior to any such action, issue a written policy certifying compliance with the privacy protections of subparagraphs (A) through (D) of subsection (j)(2);

''(C) shall ensure that all personnel undertaking any actions listed under this subsection are properly trained in accordance with the criteria that the Secretary and Attorney General shall collectively establish, in consultation with the Secretary of Transportation, the Administrator of the Federal Aviation Administration, the Chair of the Federal Communications Commission, the Assistant Secretary of Commerce for Communications and Information, and the Administrator of the National Telecommunications and Information Administration; and

''(D) shall comply with any additional guidance relating to compliance with this subsection issued by the Secretary or Attorney General.

''(e) ACTIONS DESCRIBED.—

''(1) IN GENERAL.—The actions authorized under subsection (c) that may be taken by a State, local, , or territorial law enforcement agency, the Department, the Department of Justice, and any owner or operator of an airport or critical infrastructure, are limited to actions during the operation of an unmanned aircraft system, to detect, identify, monitor, and track the unmanned aircraft system or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

''(2) CLARIFICATION.—The actions authorized in subsections (b) and (d)(4) are the following:

''(A) During the operation of the unmanned aircraft system or unmanned aircraft, detect, identify, monitor, and track the unmanned aircraft system or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

''(B) Warn the operator of the unmanned aircraft system or unmanned aircraft, including by passive or active, and direct or indirect, physical, electronic, radio, and electromagnetic means.

''(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent of the operator of the unmanned aircraft system or unmanned aircraft, including by disabling the unmanned aircraft system or unmanned aircraft by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft system or unmanned aircraft.

''(D) Seize or exercise control of the unmanned aircraft system or unmanned aircraft.

''(E) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

''(F) Use reasonable force, if necessary, to disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

''(f) RESEARCH, TESTING, TRAINING, AND EVALUATION.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—Notwithstanding section 46502 of title 49, United States Code, or any provision of title 18, United States Code, the Secretary, the Attorney General, and the heads of the State, local, , or territorial law enforcement agencies designated pursuant to subsection (d)(2) shall conduct research, testing, and training on, and evaluation of, any equipment, including any electronic equipment, to determine the capability and utility of the equipment prior to the use of the equipment in carrying out any action described in subsection (e).

''(B) COORDINATION.—Personnel and contractors who do not have duties that include the safety, security, or protection of people, facilities, or assets may engage in research, testing, training, and evaluation activities pursuant to subparagraph (A).

''(2) TRAINING OF FEDERAL, STATE, LOCAL, TERRITORIAL, AND TRIBAL LAW ENFORCEMENT PERSONNEL.—The Attorney General, acting through the Director of the Federal Bureau of Investigation, may—

''(A) provide training relating to measures to mitigate a credible threat that an unmanned aircraft or unmanned aircraft system poses to the safety or security of a covered facility or asset to any personnel who are authorized to take such measures, including personnel authorized to take the actions described in subsection (e); and

''(B) establish or designate 1 or more facilities or training centers for the purpose described in subparagraph (A).

''(3) COORDINATION FOR RESEARCH, TESTING, TRAINING, AND EVALUATION.—

''(A) IN GENERAL.—The Secretary, the Attorney General, and the heads of the State, local, , or territorial law enforcement agencies designated pursuant to subsection (d)(2) shall coordinate procedures governing research, testing, training, and evaluation to carry out any provision under this subsection with the Administrator of the Federal Aviation Administration before initiating such activity in order that the Administrator of the Federal Aviation Administration may ensure the activity does not adversely impact or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the national airspace system.

''(B) ADDITIONAL REQUIREMENT.—Each head of a State, local, , or territorial law enforcement agency designated pursuant to subsection (d)(2) shall coordinate the procedures governing research, testing, training, and evaluation of the law enforcement agency through the Secretary and the Attorney General, in coordination with the Federal Aviation Administration.

''(g) FORFEITURE.—Any unmanned aircraft system or unmanned aircraft that is lawfully seized by the Secretary or the Attorney General pursuant to subsection (b) is subject to forfeiture to the United States pursuant to the provisions of chapter 46 of title 18, United States Code.

''(h) REGULATIONS AND GUIDANCE.—The Secretary, the Attorney General, and the Secretary of Transportation—

''(1) may prescribe regulations and shall issue guidance in the respective areas of each Secretary or the Attorney General to carry out this section; and

''(2) in developing regulations and guidance described in paragraph (1), shall consult the Chair of the Federal Communications Commission, the Administrator of the National Telecommunications and Information Administration, and the Administrator of the Federal Aviation Administration.

''(i) COORDINATION.—

''(1) IN GENERAL.—The Secretary and the Attorney General shall coordinate with the Administrator of the Federal Aviation Administration before carrying out any action authorized under this section in order that the Administrator may ensure the action does not adversely impact or interfere with—

''(A) safe airport operations;

''(B) navigation;

''(C) air traffic services; or

''(D) the safe and efficient operation of the national airspace system.

''(2) GUIDANCE.—Before issuing any guidance, or otherwise implementing this section, the Secretary or the Attorney General shall each coordinate with—

''(A) the Secretary of Transportation in order that the Secretary of Transportation may ensure the guidance or implementation does not adversely impact or interfere with any critical infrastructure relating to transportation; and

''(B) the Administrator of the Federal Aviation Administration in order that the Administrator may ensure the guidance or implementation does not adversely impact or interfere with—

''(i) safe airport operations;

''(ii) navigation;

''(iii) air traffic services; or

''(iv) the safe and efficient operation of the national airspace system.

''(3) COORDINATION WITH THE FAA.—The Secretary and the Attorney General shall coordinate the development of their respective guidance under subsection (h) with the Secretary of Transportation (acting through the Administrator of the Federal Aviation Administration).

''(4) COORDINATION WITH THE DEPARTMENT OF TRANSPORTATION AND NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION.—The Secretary and the Attorney General, and the heads of any State, local, , or territorial law enforcement agencies designated pursuant to subsection (d)(2), through the Secretary and the Attorney General, shall coordinate the development for their respective departments or agencies of the actions described in subsection (e) with the Secretary of Transportation (acting through the Administrator of the Federal Aviation Administration), the Assistant Secretary of Commerce for Communications and Information, and the Administrator of the National Telecommunications and Information Administration.

''(5) STATE, LOCAL, TRIBAL, AND TERRITORIAL IMPLEMENTATION.—Prior to taking any action authorized under subsection (d)(4), each head of a State, local, Tribal, or territorial law enforcement agency designated under subsection (d)(2) shall coordinate, through the Secretary and the Attorney General—

''(A) with the Secretary of Transportation in order that the Administrators of non-aviation modes of the Department of Transportation may evaluate whether the action may have adverse impacts on critical infrastructure relating to non-aviation transportation;

''(B) with the Administrator of the Federal Aviation Administration in order that the Administrator may ensure the action will not adversely impact or interfere with—

''(i) safe airport operations;

''(ii) navigation;

''(iii) air traffic services; or

''(iv) the safe and efficient operation of the national airspace system; and

''(C) to allow the Department and the Department of Justice to ensure that any action authorized by this section is consistent with Federal law enforcement or in the interest of national security.

''(j) PRIVACY PROTECTION.—

''(1) IN GENERAL.—Any regulation or guidance issued to carry out an action under subsection (e) by the Secretary or the Attorney General shall ensure for the Department or the Department of Justice, respectively, that—

''(A) the interception of, acquisition of, access to, maintenance of, or use of any communication to or from an unmanned aircraft system or unmanned aircraft under this section is conducted in a manner consistent with the First and Fourth Amendments to the Constitution of the United States and any applicable provision of Federal law;

''(B) any communication to or from an unmanned aircraft system or unmanned aircraft are intercepted or acquired only to the extent necessary to support an action described in subsection (e);

''(C) any record of a communication described in subparagraph (B) is maintained only for as long as necessary, and in no event for more than 180 days, unless the Secretary or the Attorney General, as applicable, determines that maintenance of the record is—

''(i) required under Federal law;

''(ii) necessary for the purpose of litigation; and

''(iii) necessary to investigate or prosecute a violation of law, including by—

''(I) directly supporting an ongoing security operation; or

''(II) protecting against dangerous or unauthorized activity by unmanned aircraft systems or unmanned aircraft; and

''(D) a communication described in subparagraph (B) is not disclosed to any person not employed or contracted by the Department or the Department of Justice unless the disclosure—

''(i) is necessary to investigate or prosecute a violation of law;

''(ii) will support—

''(I) the Department of Defense;

''(II) a Federal law enforcement, intelligence, or security agency;

''(III) a State, local, Tribal, or territorial law enforcement agency; or

''(IV) another relevant entity or person if the entity or person is engaged in a security or protection operation;

''(iii) is necessary to support a department or agency listed in clause (ii) in investigating or prosecuting a violation of law;

''(iv) will support the enforcement activities of a Federal regulatory agency relating to a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to, an action described in subsection (e);

''(v) is between the Department and the Department of Justice in the course of a security or protection operation of either department or a joint operation of those departments; or

''(vi) is otherwise required by law.

''(2) LOCAL PRIVACY PROTECTION.—In exercising any authority described in subsection (c) or (d), a State, local, Tribal, or territorial law enforcement agency designated under subsection (d)(2) or owner or operator of an airport or critical infrastructure shall ensure that—

''(A) the interception of, acquisition of, access to, maintenance of, or use of communications to or from an unmanned aircraft system or unmanned aircraft under this section is conducted in a manner consistent with—

''(i) the First and Fourth Amendments to the Constitution of the United States; and

''(ii) applicable provisions of Federal law, and where required, State, local, Tribal, and territorial law;

''(B) any communication to or from an unmanned aircraft system or unmanned aircraft is intercepted or acquired only to the extent necessary to support an action described in subsection (e);

''(C) any record of a communication described in subparagraph (B) is maintained only for as long as necessary, and in no event for more than 180 days, unless the Secretary, the Attorney General, or the head of a State, local, Tribal, or territorial law enforcement agency designated under subsection (d)(2) determines that maintenance of the record is—

''(i) required to be maintained under Federal, State, local, Tribal, or territorial law;

''(ii) necessary for the purpose of any litigation; or

''(iii) necessary to investigate or prosecute a violation of law, including by—

''(I) directly supporting an ongoing security or protection operation; or

''(II) protecting against dangerous or unauthorized activity by an unmanned aircraft system or unmanned aircraft; and

''(D) the communication is not disclosed outside the agency or entity unless the disclosure—

''(i) is necessary to investigate or prosecute a violation of law;

''(ii) would support the Department of Defense, a Federal law enforcement, intelligence, or security agency, or a State, local, Tribal, or territorial law enforcement agency;

''(iii) would support the enforcement activities of a Federal regulatory agency in connection with a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to, an action described in subsection (e);

''(iv) is to the Department or the Department of Justice in the course of a security or protection operation of either the Department or the Department of Justice, or a joint operation of the Department and Department of Justice; or

''(v) is otherwise required by law.

''(k) BUDGET.—

''(1) IN GENERAL.—The Secretary and the Attorney General shall submit to Congress, as a part of the homeland security or justice budget materials for each fiscal year after fiscal year 2024, a consolidated funding display that identifies the funding source for the actions described in subsection (e) within the Department and the Department of Justice.

''(2) CLASSIFICATION.—Each funding display submitted under paragraph (1) shall be in unclassified form but may contain a classified annex.

''(l) PUBLIC DISCLOSURES.—

''(1) IN GENERAL.—Notwithstanding any provision of State, local, Tribal, or territorial law, information shall be governed by the disclosure obligations set forth in section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act'), if the information relates to—

''(A) any capability, limitation, or sensitive detail of the operation of any technology used to carry out an action described in subsection (e)(1) of this section; or

''(B) an operational procedure or protocol used to carry out this section.

''(2) STATE, LOCAL, TRIBAL, OR TERRITORIAL AGENCY USE.—

''(A) CONTROL.—Information described in paragraph (1) that is obtained by a State, local, Tribal, or territorial law enforcement agency from a Federal agency under this section—

''(i) shall remain subject to the control of the Federal agency, notwithstanding that the State, local, Tribal, or territorial law enforcement agency has the information described in paragraph (1) in the possession of the State, local, Tribal, or territorial law enforcement agency; and

''(ii) shall not be subject to any State, local, Tribal, or territorial law authorizing or requiring disclosure of the information described in paragraph (1).

''(B) ACCESS.—Any request for public access to information described in paragraph (1) shall be submitted to the originating Federal agency, which shall process the request as required under section 552(a)(3) of title 5, United States Code.

''(m) ASSISTANCE AND SUPPORT.—

''(1) FACILITIES AND SERVICES OF OTHER AGENCIES AND NON-FEDERAL ENTITIES.—

''(A) IN GENERAL.—The Secretary and the Attorney General are authorized to use or accept from any other Federal agency, or any other public or private entity, any supply or service to facilitate or carry out any action described in subsection (e).

''(B) REIMBURSEMENT.—In accordance with subparagraph (A), the Secretary and the Attorney General may accept any supply or service with or without reimbursement to the entity providing the supply or service and notwithstanding any provision of law that would prevent the use or acceptance of the supply or service.

''(C) AGREEMENTS.—To implement the requirements of subsection (a)(5)(C), the Secretary or the Attorney General may enter into 1 or more agreements with the head of another executive agency or with an appropriate official of a non-Federal public or private agency or entity, as may be necessary and proper to carry out the responsibilities of the Secretary and Attorney General under this section.

''(2) MUTUAL SUPPORT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary and the Attorney General are authorized to provide support or assistance, upon the request of a Federal agency or department conducting—

''(i) a mission described in subsection (a)(5)(C);

''(ii) a mission described in section 130i of title 10, United States Code; or

''(iii) a mission described in section 4510 of the Atomic Energy Defense Act (50 U.S.C. 2661).

''(B) REQUIREMENTS.—Any support or assistance provided by the Secretary or the Attorney General shall only be granted—

''(i) for the purpose of fulfilling the roles and responsibilities of the Federal agency or department that made the request for the mission for which the request was made;

''(ii) when exigent circumstances exist;

''(iii) for a specified duration and location;

''(iv) within available resources;

''(v) on a non-reimbursable basis; and

''(vi) in coordination with the Administrator of the Federal Aviation Administration.

''(n) SEMIANNUAL BRIEFINGS AND NOTIFICATIONS.—

''(1) IN GENERAL.—On a semiannual basis beginning 180 days after the date of enactment of the Safeguarding the Homeland from the Threats Posed by Unmanned Aircraft Systems Act of 2024, the Secretary and the Attorney General shall each provide a briefing to the appropriate committees of Congress on the activities carried out pursuant to this section.

''(2) REQUIREMENT.—The Secretary and the Attorney General each shall conduct the briefing required under paragraph (1) jointly with the Secretary of Transportation.

''(3) CONTENT.—Each briefing required under paragraph (1) shall include—

''(A) policies, programs, and procedures to mitigate or eliminate impacts of activities carried out pursuant to this section to the national airspace system and other critical infrastructure relating to national transportation;

''(B) a description of—

''(i) each instance in which any action described in subsection (e) has been taken, including any instances that may have resulted in harm, damage, or loss to a person or to private property;

''(ii) the guidance, policies, or procedures established by the Secretary or the Attorney General to address privacy, civil rights, and civil liberties issues implicated by the actions permitted under this section, as well as any changes or subsequent efforts by the Secretary or the Attorney General that would significantly affect privacy, civil rights, or civil liberties;

''(iii) options considered and steps taken by the Secretary or the Attorney General to mitigate any identified impacts to the national airspace system relating to the use of any system or technology, including the minimization of the use of any technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (e)(2); and

''(iv) each instance in which a communication intercepted or acquired during the course of operations of an unmanned aircraft system or unmanned aircraft was—

''(I) held in the possession of the Department or the Department of Justice for more than 180 days; or

''(II) shared with any entity other than the Department or the Department of Justice;

''(C) an explanation of how the Secretary, the Attorney General, and the Secretary of Transportation have—

''(i) informed the public as to the possible use of authorities granted under this section; and

''(ii) engaged with Federal, State, local, Tribal, and territorial law enforcement agencies to implement and use authorities granted under this section;

''(D) an assessment of whether any gaps or insufficiencies remain in laws, regulations, and policies that impede the ability of the Federal Government or State, local, Tribal, and territorial governments and owners or operators of critical infrastructure to counter the threat posed by the malicious use of unmanned aircraft systems and unmanned aircraft;

''(E) an assessment of efforts to integrate unmanned aircraft system threat assessments within National Special Security Event and Special Event Assessment Rating event planning and protection efforts;

''(F) recommendations to remedy any gaps or insufficiencies described in subparagraph (D), including recommendations relating to necessary changes in law, regulations, or policies;

''(G) a description of the impact of the authorities granted under this section on—

''(i) lawful operator access to national airspace; and

''(ii) unmanned aircraft systems and unmanned aircraft integration into the national airspace system; and

''(H) a summary from the Secretary of any data and results obtained pursuant to subsection (r), including an assessment of—

''(i) how the details of the incident were obtained; and

''(ii) whether the operation involved a violation of Federal Aviation Administration aviation regulations.

''(4) UNCLASSIFIED FORM.—Each briefing required under paragraph (1) shall be in unclassified form but may be accompanied by an additional classified briefing.

''(5) NOTIFICATION.—

''(A) IN GENERAL.—Not later than 30 days after an authorized department, agency, or owner or operator of an airport or critical infrastructure deploys any new technology to carry out the actions described in subsection (e), the Secretary and the Attorney General shall, individually or jointly, as appropriate, submit a notification of the deployment to the appropriate committees of Congress.

''(B) CONTENTS.—Each notification submitted pursuant to subparagraph (A) shall include a description of options considered to mitigate any identified impacts to the national airspace system relating to the use of any system or technology, including the minimization of the use of any technology that disrupts the transmission of radio or electronic signals in carrying out the actions described in subsection (e).

''(o) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

''(1) vest in the Secretary, the Attorney General, or any State, local, Tribal, or territorial law enforcement agency that is authorized under subsection (c) or designated under subsection (d)(2) any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration;

''(2) vest in the Secretary of Transportation, the Administrator of the Federal Aviation Administration, or any State, local, Tribal, or territorial law enforcement agency designated under subsection (d)(2) any authority of the Secretary or the Attorney General;

''(3) vest in the Secretary any authority of the Attorney General;

''(4) vest in the Attorney General any authority of the Secretary; or

''(5) provide a new basis of liability with respect to an officer of a State, local, Tribal, or territorial law enforcement agency designated under subsection (d)(2) or who participates in the protection of a mass gathering identified by the Secretary or Attorney General under subsection (a)(5)(C)(iii)(II), who—

''(A) is acting in the official capacity of the individual as an officer; and

''(B) does not exercise the authority granted to the Secretary and the Attorney General by this section.

''(p) TERMINATION.—

''(1) TERMINATION OF ADDITIONAL LIMITED AUTHORITY FOR DETECTION, IDENTIFICATION, MONITORING, AND TRACKING.—The authority to carry out any action authorized under subsection (c), if performed by a non-Federal entity, shall terminate on the date that is 5 years and 6 months after the date of enactment of the Safeguarding the Homeland from the Threats Posed by Unmanned Aircraft Systems Act of 2024 and the authority under the pilot program established under subsection (d) shall terminate as provided for in paragraph (3) of that subsection.

''(2) TERMINATION OF AUTHORITIES WITH RESPECT TO COVERED FACILITIES AND ASSETS.—The authority to carry out this section with respect to a covered facility or asset shall terminate on the date that is 7 years after the date of enactment of the Safeguarding the Homeland from the Threats Posed by Unmanned Aircraft Systems Act of 2024.

''(q) SCOPE OF AUTHORITY.—Nothing in this section shall be construed to provide the Secretary or the Attorney General with any additional authority other than the authorities described in subsections (a)(5)(C)(iii), (b), (c), (d), (f), (m), and (r).

''(r) UNITED STATES GOVERNMENT DATABASE.—

''(1) AUTHORIZATION.—The Department is authorized to develop a Federal database to enable the transmission of data concerning security-related incidents in the United States involving unmanned aircraft and unmanned aircraft systems between Federal, State, local, Tribal, and territorial law enforcement agencies for purposes of conducting analyses of such threats in the United States.

''(2) POLICIES, PLANS, AND PROCEDURES.—

''(A) COORDINATION AND CONSULTATION.—Before implementation of the database developed under paragraph (1), the Secretary shall develop policies, plans, and procedures for the implementation of the database—

''(i) in coordination with the Attorney General, the Secretary of Defense, and the Secretary of Transportation (acting through the Administrator of the Federal Aviation Administration); and

''(ii) in consultation with State, local, Tribal, and territorial law enforcement agency representatives, including representatives of fusion centers.

''(B) REPORTING.—The policies, plans, and procedures developed under subparagraph (A) shall include criteria for Federal, State, local, Tribal, and territorial reporting of unmanned aircraft systems or unmanned aircraft incidents.

''(C) DATA RETENTION.—The policies, plans, and procedures developed under subparagraph (A) shall ensure that data on security-related incidents in the United States involving unmanned aircraft and unmanned aircraft systems that is retained as criminal intelligence information is retained based on the reasonable suspicion standard, as permitted under part 23 of title 28, Code of Federal Regulations.''.

SA 2160. Mr. SULLIVAN (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. TECHNICAL CORRECTION RELATING TO COAST GUARD ACQUISITION OF ICEBREAKER.

Section 11223(b)(2) of the Don Young Coast Guard Authorization Act of 2022 (Public Law 117–263; 14 U.S.C. 561 note) is amended by striking ''shall apply'' and inserting ''shall not apply''.

SA 2161. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1291. CONTRACT MODIFICATIONS UNDER FOREIGN MILITARY SALES PROCESS.

(a) IN GENERAL.—A contract between the United States Government and a manufacturer of United States defense articles—

(1) may be modified at any time for the purpose of the acquisition of defense articles or services pursuant to a letter of offer and acceptance with an eligible foreign purchaser; and

(2) shall not be subject to an annual limitations with respect to the number of times the contract may be modified.

(b) COSTS.—Costs associated with a modification under subsection (a) shall be paid by the eligible foreign purchaser concerned.

SA 2162. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1291. AGREEMENTS WITH MANUFACTURERS FOR ACQUISITION OF LONG-LEAD GOVERNMENT-FURNISHED EQUIPMENT UNDER FOREIGN MILITARY SALES PROCESS.

(a) IN GENERAL.—Notwithstanding any other provision of law, including section 30 of the Arms Export Control Act (22 U.S.C. 2770), a United States prime contractor may enter into a covered agreement with a manufacturer to begin the process of acquiring long-lead Government-furnished equipment, including sensitive and closely controlled items such as communications security devices, military grade GPS, and anti-spoofing devices, on forecast prior to the execution of a signed commercial contract or issuance of a letter of offer and acceptance.

(b) COVERED AGREEMENT DEFINED.—In this paragraph, the term ''covered agreement'' means an agreement between a United States prime contractor and a manufacturer pursuant to which—

(1) the prime contractor, in anticipation of a foreign military sale, contracts for the production by the manufacturer of one or more articles that will be supplied to the prime contractor as government-furnished equipment prior to execution of a signed commercial contract or issuance of a letter of offer and acceptance in connection with such sale;

(2) the parties agree to the allocation of risks, obligations, profits, and costs in the event the anticipated foreign military sale does not occur, including whether the articles manufactured under the agreement are retained by the manufacturer for eventual supply to the prime contractor or a third party in connection with a future foreign military sale or other transaction; and

(3) the United States Government assumes no liability with respect to either party in the event the anticipated foreign military sale does not occur.

(c) DEPARTMENT OF DEFENSE POLICY.—

(1) IN GENERAL.—The Secretary of Defense shall implement policies, and ensure that the head of each military department implements policies, that allow United States prime contractors to enter into covered agreements with manufacturers of Government-furnished equipment.

(2) ELEMENTS.—The policies required by paragraph (1) shall require that—

(A) United States prime contractors shall be responsible for—

(i) negotiating directly with the manufacturer of Government-furnished equipment, including with respect to the terms and conditions described in subsection (b)(2); and

(ii) providing any payment to such manufacturer; and

(B) transfer of Government-furnished equipment from such manufacturer to the primary contractor shall not occur until the date on which a letter of offer and acceptance or commercial contract is produced.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as authorizing, requiring, or providing for the United States Government to assume any liability or other financial responsibility with respect to a covered agreement.

SA 2163. Mr. SULLIVAN (for himself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by

him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—STAND WITH TAIWAN ACT OF 2024

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Sanctions Targeting Aggressors of Neighboring Democracies with Taiwan Act of 2024'' or the ''STAND with Taiwan Act of 2024''.

SEC. 1702. FINDINGS.

Congress makes the following findings:

(1) Taiwan is a free and prosperous democracy of nearly 24,000,000 people, an important contributor to peace and stability around the world, and continues to embody and promote democratic values, freedom, and human rights in Asia.

(2) The policy of the United States toward Taiwan is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the United States-People's Republic of China joint communiqués concluded in 1972, 1978, and 1982, and the Six Assurances that President Ronald Reagan communicated to Taiwan in 1982.

(3) Under section 2 of the Taiwan Relations Act (22 U.S.C. 3301), it is the policy of the United States—

(A) ''to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area'';

(B) ''to declare that peace and stability in the area are in the political, security, and economic interests of the United States, and are matters of international concern'';

(C) ''to make clear that the United States decision to establish diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means'';

(D) ''to consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, a threat to the peace and security of the Western Pacific area and of grave concern to the United States'';

(E) ''to provide Taiwan with arms of a defensive character''; and

(F) ''to maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan''.

(4) For decades and increasingly since the election of President Tsai Ing-wen as President of Taiwan in 2016, the Chinese Communist Party has employed a variety of coercive military and nonmilitary tactics short of armed conflict in its efforts to exert existential pressure on Taiwan, including through diplomatic isolation, restricting tourism, cyberattacks, spreading disinformation, and controlling the ability of Taiwan to purchase COVID–19 vaccines from other countries.

(5) Since 2020, military incursions by the People's Republic of China into Taiwan's air defense identification zone have been occurring at a rapidly increasing pace. In 2022, such incursions occurred 1,700 times, nearly double the total in 2021, which was itself almost triple the 2020 total.

(6) Since 2021, there has been a notable increase in military provocations by the People's Liberation Army against Taiwan, including incursions over the midline separating the People's Republic of China from Taiwan, holding military exercises in the vicinity of Taiwan's controlled waters, and performing live-fire exercises in the South China Sea.

(7) In August 2022, the People's Republic of China held unprecedented live-fire military exercises and a simulated blockade involving hundreds of military aircraft, dozens of warships, and launches of short-range ballistic missiles over the territory of Taiwan.

(8) The People's Republic of China is attempting to erase the midline separating it from Taiwan, increasing the prospects for incidental contact between forces of the People's Republic of China and Taiwan as well as shorting reaction times related to provocations by the People's Republic of China.

(9) On August 10, 2022, the Taiwan Affairs Office of the State Council of the People's Republic of China released a white paper entitled ''The Taiwan Question and China's Reunification in the New Era'' that reiterated the long-standing position of the Government of the People's Republic of China not to renounce the use of force to bring about unification with Taiwan and to ''always be ready to respond with the use of force . . . to interference by external forces or radical action by separatist elements''.

(10) In March 2021, then Commander of the United States Indo-Pacific Command Admiral Philip Davidson testified that the threat of a military invasion of Taiwan by the People's Liberation Army ''is manifest during this decade, in fact in the next six years''.

(11) In March 2021, then Commander of the United States Pacific Fleet Admiral John Aquilino testified that the threat of a military invasion by the People's Liberation Army of Taiwan is ''much closer to us than most think'' and could materialize well before 2035.

(12) On February 24, 2022, the Armed Forces of the Russian Federation initiated an unprovoked and unjustified invasion of Ukraine, resulting in at least 14,000 civilian casualties, including more than 5,000 deaths.

(13) The Russian Federation invasion has destabilized global markets and supply chains, from energy to food, contributing to high inflation and recession in the United States and deep cuts to global gross domestic product.

(14) With the assistance of the United States and European allies, Ukrainian forces have successfully repelled the Russian Federation invasion and recaptured significant portions of territory taken by the Russian Federation in the initial stages of the invasion.

(15) In addition to military power, timely messaging around the use of economic and financial instruments of United States power and their potential use can have an important deterrent effect on the actions of other countries.

SEC. 1703. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the interests of the United States to maintain a free and open Indo-Pacific region, with peace and stability in the Taiwan Strait as a critical component;

(2) efforts by the Government of the People's Republic of China and the Chinese Communist Party to unilaterally determine the future of Taiwan through non-peaceful means, including threats and the direct use of force, military coercion, economic boycotts or embargoes, cyberattacks, and efforts to internationally isolate or annex Taiwan—

(A) directly undermine the spirit, intent, and purpose of the Taiwan Relations Act (22 U.S.C. 3301 et seq.);

(B) undermine peace and stability in the Taiwan Strait;

(C) limit a free and open Indo-Pacific region; and

(D) are of grave concern to the Government of the United States;

(3) the initiation of a military invasion of Taiwan by the People's Liberation Army would—

(A) constitute a threat to the peace and security of the Western Pacific Area and threaten the peace stability of the entire globe; and

(B) undermine the core political, security, and economic interests of the United States at home and abroad; and

(4) as an important deterrent measure against a military invasion of Taiwan, the Government of the People's Republic of China and the Chinese Communist Party must understand that initiating such an invasion will result in catastrophic economic and financial consequences for the People's Republic of China.

SEC. 1704. STATEMENT OF POLICY.

The policy of the Government of the United States on Taiwan is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the United States-People's Republic of China joint communiqués concluded in 1972, 1978, and 1982, and the Six Assurances that President Ronald Reagan communicated to Taiwan in 1982, but in the event of the initiation of a military invasion of Taiwan by the People's Liberation Army, it is the policy of the United States—

(1) to use and deploy all economic, commercial, and financial instruments and levers of power, including—

(A) the imposition of sanctions with respect to leadership of the Chinese Communist Party, key officials of the Government of the People's Republic of China, and financial institutions and other entities affiliated with the Chinese Communist Party or the Government of the People's Republic of China;

(B) prohibiting the listing or trading of the securities of Chinese entities on United States securities exchanges;

(C) prohibiting investments by United States financial institutions in economic sectors of the People's Republic of China; and

(D) prohibiting the importation of certain goods mined, produced, or manufactured in the People's Republic of China into the United States; and

(2) to work in close coordination with allies and partners of the United States to encourage those allies and partners to undertake similar economic, commercial, and financial actions against the Government of the People's Republic of China and the Chinese Communist Party.

SEC. 1705. DEFINITIONS.

In this title:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) ADMISSION; ADMITTED; ALIEN.—The terms ''admission'', ''admitted'', and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Financial Services of the House of Representatives.

(4) COVERED DETERMINATION.—The term ''covered determination'' means a determination by the President, not later than 24 hours after a military invasion of Taiwan by the People's Liberation Army or any of its proxies, that such an invasion has occurred.

(5) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31, United States Code.

(6) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

(7) KNOWINGLY.—The term ''knowingly'' with respect to conduct, a circumstance, or a result, means that a person had actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) MILITARY INVASION.—The term ''military invasion'' includes—

(A) an amphibious landing or assault;

(B) an airborne operation or air assault;

(C) an aerial bombardment or blockade;

(D) missile attacks, including rockets, ballistic missiles, cruise missiles, and hypersonic missiles;

(E) a naval bombardment or armed blockade; and

(F) attack on any territory controlled or administered by the Government of Taiwan, including offshore islands controlled or administered by that Government.

(9) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 1706. IMPOSITION OF SANCTIONS WITH RESPECT TO OFFICIALS OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND MEMBERS OF THE CHINESE COMMUNIST PARTY.

(a) IN GENERAL.—Not later than 3 days after making a covered determination, the President shall impose the sanctions described in subsection (d) with respect to officials of the Government of the People's Republic of China and members of the Chinese Communist Party specified in subsection (b), to the extent such officials and members can be identified.

(b) OFFICIALS SPECIFIED.—The officials specified in this subsection shall include—

(1) senior civilian and military officials of the People's Republic of China and military officials who have command or clear and direct decision-making power over military campaigns, military operations, and military planning against Taiwan conducted by the People's Liberation Army;

(2) senior civilian and military officials of the People's Republic of China who have command or clear and direct decision-making power in the Chinese Coast Guard and the Chinese People's Armed Police and are engaged in planning or implementing activities that involve the use of force against Taiwan;

(3) senior or special advisors to the General Secretary of the Chinese Communist Party, the Chairman of the Central Military Commission, or the President of the People's Republic of China;

(4) officials of the Government of the People's Republic of China who are members of the top decision-making bodies of that Government;

(5) the highest-ranking Chinese Communist Party members of the decision-making bodies referred to in paragraph (4); and

(6) officials of the Government of the People's Republic of China in the intelligence agencies or security services who—

(A) have clear and direct decision-making power; and

(B) have engaged in or implemented activities that—

(i) materially undermine the military readiness of Taiwan;

(ii) overthrow or decapitate the Taiwan's government;

(iii) debilitate Taiwan's electric grid, critical infrastructure, or cybersecurity systems through offensive electronic or cyber attacks;

(iv) undermine Taiwan's democratic processes through campaigns to spread disinformation; or

(v) involve committing serious human rights abuses against citizens of Taiwan, including forceful transfers, enforced disappearances, unjust detainment, or torture.

(c) ADDITIONAL OFFICIALS.—

(1) LIST REQUIRED.—Not later than 30 days after making a covered determination, and every 90 days thereafter, the President shall submit a list to the appropriate congressional committees that identifies any additional foreign persons who—

(A) the President determines are officials specified in subsection (b); and

(B) who were not included on any previous list of such officials.

(2) IMPOSITION OF SANCTIONS.—Upon the submission of the list required under paragraph (1), the President shall impose the sanctions described in subsection (d) with respect to each official included on the list.

(d) SANCTIONS DESCRIBED.—The sanctions described in this subsection to be imposed with respect to an official specified in subsection (b) or (c) are the following:

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to block and prohibit all transactions in all property and interests in property of the official if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—The official shall be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of the official shall be revoked, regardless of when such visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under subparagraph (A) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the official's possession.

(e) EXCEPTION FOR COMPLIANCE WITH INTERNATIONAL OBLIGATIONS AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to an official if—

(1) admitting or paroling the official into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success on June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) to carry out or assist law enforcement activity in the United States; or

(2) the alien holds a valid, unexpired A–1, A–2, C–2, G–1, or G–2 visa.

(f) TOP DECISION-MAKING BODIES DEFINED.—In this section, the term ''top decision-making bodies'' may include—

(1) the Political Bureau of the Central Committee of the Chinese Communist Party;

(2) the Standing Committee of the Political Bureau of the Central Committee of the Chinese Communist Party;

(3) the Central Military Commission of the Chinese Communist Party;

(4) the Central Military Commission of the People's Republic of China;

(5) the National People's Congress of the People's Republic of China;

(6) the Central Committee of the Chinese Communist Party; and

(7) the State Council of the People's Republic of China.

SEC. 1707. IMPOSITION OF SANCTIONS WITH RESPECT TO FINANCIAL INSTITUTIONS AFFILIATED WITH THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 3 days after a covered determination is made, the Secretary of the Treasury—

(1) shall impose the sanctions described in subsection (b) with respect to—

(A) the People's Bank of China; and

(B) state-owned banks; and

(2) may impose those sanctions with respect to any subsidiary of, or successor entity to, a state-owned bank.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a financial institution subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(2) RESTRICTIONS ON CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS.—The President shall prohibit the opening, and prohibit or impose strict conditions on the maintaining, in the United States of a correspondent account or payable-through account by a financial institution subject to subsection (a).

(c) STATE-OWNED BANK DEFINED.—In this section, the term ''state-owned bank''—

(1) means a bank that—

(A) is incorporated in the People's Republic of China; and

(B) is owned in whole or part by the Government of the People's Republic of China; and

(2) includes—

(A) the Export-Import Bank of China;

(B) the China Development Bank;

(C) the Agricultural Development Bank of China;

(D) the Industrial and Commercial Bank of China;

(E) the China Construction Bank;
(F) the Bank of Communications;
(G) the Agricultural Bank of China; and
(H) the Bank of China.

SEC. 1708. IMPOSITION OF SANCTIONS WITH RESPECT TO ENTITIES OWNED BY OR AFFILIATED WITH THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

(a) IN GENERAL.—Not later than 3 days after a covered determination is made, the Secretary of the Treasury shall impose the sanctions described in subsection (b) with respect to any entity that—

(1) the Government of the People's Republic of China or the Chinese Communist Party has an ownership interest in; or

(2) is otherwise affiliated with the Government of the People's Republic of China or the Chinese Communist Party.

(b) BLOCKING OF PROPERTY.—

(1) IN GENERAL.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of an entity subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

SEC. 1709. PROHIBITION ON TRANSFERS OF FUNDS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Except as provided by subsection (b), not later than 3 days after a covered determination is made, a depository institution (as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A))) or a broker or dealer in securities registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) may not process transfers of funds—

(1) to or from the People's Republic of China; or

(2) for the direct or indirect benefit of officials of the Government of the People's Republic of China or members of the Chinese Communist Party.

(b) EXCEPTION.—A depository institution, broker, or dealer described in subsection (a) may process a transfer described in that subsection if the transfer—

(1) arises from, and is ordinarily incident and necessary to give effect to, an underlying transaction that is authorized by a specific or general license; and

(2) does not involve debiting or crediting an Chinese account.

SEC. 1710. PROHIBITION ON LISTING OR TRADING OF CHINESE ENTITIES ON UNITED STATES SECURITIES EXCHANGES.

(a) IN GENERAL.—The Securities and Exchange Commission shall prohibit the securities of an issuer described in subsection (b) from being traded on a national securities exchange on and after the date that is 3 days after a covered determination is made.

(b) ISSUERS.—An issuer described in this subsection is an issuer that is—

(1) an official of or individual affiliated with the Government of the People's Republic of China or the Chinese Communist Party; or

(2) an entity that—

(A) the Government of the People's Republic of China or the Chinese Communist Party has an ownership interest in; or

(B) is otherwise affiliated with the Government of the People's Republic of China or the Chinese Communist Party.

(c) DEFINITIONS.—In this section:

(1) ISSUER; SECURITY.—The terms ''issuer'' and ''security'' have the meanings given those terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

(2) NATIONAL SECURITIES EXCHANGE.—The term ''national securities exchange'' means an exchange registered as a national securities exchange in accordance with section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).

SEC. 1711. PROHIBITION ON INVESTMENTS BY UNITED STATES FINANCIAL INSTITUTIONS THAT BENEFIT THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

(a) IN GENERAL.—Not later than 3 days after a covered determination is made, the Secretary of the Treasury shall prohibit any United States financial institution from making any investments described in subsection (b).

(b) INVESTMENTS DESCRIBED.—An investment described in this subsection is a monetary investment—

(1) to—

(A) an entity owned or controlled by the Government of the People's Republic of China or the Chinese Communist Party; or

(B) the People's Liberation Army; or

(2) for the benefit of any priority industrial sector identified in the ''Made in China 2025'' plan or the ''14th Five Year Smart Manufacturing Development Plan'', including—

(A) agriculture machinery;
(B) information technology;
(C) artificial intelligence, machine learning, and robotics;
(D) green energy and green vehicles;
(E) aerospace equipment;
(F) ocean engineering and high tech ships;
(G) railway equipment;
(H) power equipment;
(I) new materials;
(J) medicine and medical devices;
(K) fifth generation and future generation telecommunications and other advanced wireless networking technologies;
(L) semiconductor manufacturing;
(M) biotechnology;
(N) quantum computing;
(O) surveillance technologies, including facial recognition technologies and censorship software;
(P) fiber optic cables; and
(Q) mining and resource development.

(c) UNITED STATES FINANCIAL INSTITUTION DEFINED.—In this section, the term ''United States financial institution''—

(1) means any financial institution that is a United States person; and

(2) includes an investment company, private equity company, venture capital company, or hedge fund that is a United States person.

SEC. 1712. PROHIBITION ON ENERGY EXPORTS TO, AND INVESTMENTS IN ENERGY SECTOR OF, THE PEOPLE'S REPUBLIC OF CHINA.

(a) PROHIBITION ON EXPORTS.—

(1) IN GENERAL.—On and after the date that is 3 days after a covered determination is made, the Secretary of Commerce shall prohibit, under the Export Control Reform Act of 2018 (50 U.S.C. 4801 et seq.), the export, reexport, or in-country transfer to or in the People's Republic of China any energy or energy product produced in the United States.

(2) DEFINITIONS.—In this subsection, the terms ''export'', ''in-country transfer'', ''reexport'', and ''United States person'' have the meanings given those terms in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

(b) PROHIBITION ON INVESTMENTS.—On and after the date that is 3 days after a covered determination is made, a United States person may not make an investment in the energy sector of the People's Republic of China.

SEC. 1713. SUSPENSION OF NORMAL TRADE RELATIONS WITH THE PEOPLE'S REPUBLIC OF CHINA.

Notwithstanding the provisions of title I of Public Law 106–286 (114 Stat. 880) or any other provision of law, beginning on the date that is 3 days after a covered determination is made, normal trade relations treatment shall not apply pursuant to section 101(a) of that Act to the products of the People's Republic of China.

SEC. 1714. EXCEPTIONS; WAIVER.

(a) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—This title shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(b) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under this title with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

SEC. 1715. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this title.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this title or any regulation, license, or order issued to carry out this title shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SA 2164. Mr. CORNYN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—CTPAT Pilot Program Act of 2024

SEC. 1095. SHORT TITLE.

This subtitle may be cited as the ''Customs Trade Partnership Against Terrorism Pilot Program Act of 2024'' or the ''CTPAT Pilot Program Act of 2024''.

SEC. 1096. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate; and

(B) the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives.

(2) CTPAT.—The term ''CTPAT'' means the Customs Trade Partnership Against Terrorism established under subtitle B of title II

of the Security and Accountability for Every Port Act (6 U.S.C. 961 et seq.).

SEC. 1097. PILOT PROGRAM ON PARTICIPATION OF THIRD-PARTY LOGISTICS PROVIDERS IN CTPAT.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security shall carry out a pilot program to assess whether allowing entities described in subsection (b) to participate in CTPAT would enhance port security, combat terrorism, prevent supply chain security breaches, or otherwise meet the goals of CTPAT.

(2) FEDERAL REGISTER NOTICE.—Not later than one year after the date of the enactment of this Act, the Secretary shall publish in the Federal Register a notice specifying the requirements for the pilot program required by paragraph (1).

(b) ENTITIES DESCRIBED.—An entity described in this subsection is—

(1) a non-asset-based third-party logistics provider that—

(A) arranges international transportation of freight and is licensed by the Department of Transportation; and

(B) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2); or

(2) an asset-based third-party logistics provider that—

(A) facilitates cross border activity and is licensed or bonded by the Federal Maritime Commission, the Transportation Security Administration, U.S. Customs and Border Protection, or the Department of Transportation;

(B) manages and executes logistics services using its own warehousing assets and resources on behalf of its customers; and

(C) meets such other requirements as the Secretary specifies in the Federal Register notice required by subsection (a)(2).

(c) REQUIREMENTS.—In carrying out the pilot program required by subsection (a)(1), the Secretary shall—

(1) ensure that—

(A) not more than 10 entities described in paragraph (1) of subsection (b) participate in the pilot program; and

(B) not more than 10 entities described in paragraph (2) of that subsection participate in the program;

(2) provide for the participation of those entities on a voluntary basis;

(3) continue the program for a period of not less than one year after the date on which the Secretary publishes the Federal Register notice required by subsection (a)(2); and

(4) terminate the pilot program not more than 5 years after that date.

(d) REPORT REQUIRED.—Not later than 180 days after the termination of the pilot program under subsection (c)(4), the Secretary shall submit to the appropriate congressional committees a report on the findings of, and any recommendations arising from, the pilot program concerning the participation in CTPAT of entities described in subsection (b), including an assessment of participation by those entities.

SEC. 1098. REPORT ON EFFECTIVENESS OF CTPAT.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing the effectiveness of CTPAT.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of—

(A) security incidents in the cargo supply chain during the 5-year period preceding submission of the report that involved criminal activity, including drug trafficking, human smuggling, commercial fraud, or terrorist activity; and

(B) whether those incidents involved participants in CTPAT or entities not participating in CTPAT.

(2) An analysis of causes for the suspension or removal of entities from participating in CTPAT as a result of security incidents during that 5-year period.

(3) An analysis of the number of active CTPAT participants involved in one or more security incidents while maintaining their status as participants.

(4) Recommendations to the Commissioner of U.S. Customs and Border Protection for improvements to CTPAT to improve prevention of security incidents in the cargo supply chain involving participants in CTPAT.

SEC. 1099. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

SA 2165. Mr. CORNYN (for himself, Mr. CASEY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OUTBOUND INVESTMENT TRANSPARENCY.

The Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) is amended by adding at the end the following:

"TITLE VIII—PROTECTION OF COVERED SECTORS

"SEC. 801. DEFINITIONS.

''In this title:

''(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means—

''(A) the Committee on Armed Services, the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Ways and Means, the Committee on Financial Services, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs of the House of Representatives.

''(2) COUNTRY OF CONCERN.—The term 'country of concern' means, subject to such regulations as may be prescribed in accordance with section 806, a country specified in section 4872(d)(2) of title 10, United States Code.

''(3) COVERED ACTIVITY.—

''(A) IN GENERAL.—Subject to such regulations as may be prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered activity' means any activity engaged in by a United States person in a related to a covered sector that involves—

''(i) an acquisition by such United States person of an equity interest or contingent equity interest, or monetary capital contribution, in a covered foreign entity, directly or indirectly, by contractual commitment or otherwise, with the goal of generating income or gain;

''(ii) an arrangement for an interest held by such United States person in the short- or long-term debt obligations of a covered foreign entity that includes governance rights that are characteristic of an equity investment, management, or other important rights, as defined in regulations prescribed in accordance with section 806;

''(iii) the establishment of a wholly owned subsidiary in a country of concern, such as a greenfield investment, for the purpose of production, design, testing, manufacturing, fabrication, or development related to one or more covered sectors;

''(iv) the establishment by such United States person of a joint venture in a country of concern or with a covered foreign entity for the purpose of production, design, testing, manufacturing, fabrication, or research involving one or more covered sectors, or other contractual or other commitments involving a covered foreign entity to jointly research and develop new innovation, including through the transfer of capital or intellectual property or other business proprietary information; or

''(v) the acquisition by a United States person with a covered foreign entity of—

''(I) operational cooperation, such as through supply or support arrangements;

''(II) the right to board representation (as an observer, even if limited, or as a member) or an executive role (as may be defined through regulation) in a covered foreign entity;

''(III) the ability to direct or influence such operational decisions as may be defined through such regulations;

''(IV) formal governance representation in any operating affiliate, like a portfolio company, of a covered foreign entity; or

''(V) a new relationship to share or provide business services, such as but not limited to financial services, marketing services, maintenance, or assembly functions, related to a covered sectors.

''(B) EXCEPTIONS.—The term 'covered activity' does not include—

''(i) any transaction the value of which the Secretary of the Treasury determines is de minimis, as defined in regulations prescribed in accordance with section 806;

''(ii) any category of transactions that the Secretary determines is in the national interest of the United States, as may be defined in regulations prescribed in accordance with section 806; or

''(iii) any ordinary or administrative business transaction as may be defined in such regulations.

''(4) COVERED FOREIGN ENTITY.—

''(A) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, and except as provided in subparagraph (B), the term 'covered foreign entity' means—

''(i) any entity that is incorporated in, has a principal place of business in, or is organized under the laws of a country of concern;

''(ii) any entity the equity securities of which are primarily traded in the ordinary course of business on one or more exchanges in a country of concern;

''(iii) any entity in which any entity described in subclause (i) or (ii) holds, individually or in the aggregate, directly or indirectly, an ownership interest of greater than 50 percent; or

''(iv) any other entity that is not a United States person and that meets such criteria as may be specified by the Secretary of the Treasury in such regulations.

''(B) EXCEPTION.—The term 'covered foreign entity' does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in the entity is ultimately owned by—

''(i) nationals of the United States; or

''(ii) nationals of such countries (other than countries of concern) as are identified for purposes of this subparagraph pursuant to regulations prescribed in accordance with section 806.

''(5) COVERED SECTORS.—Subject to regulations prescribed in accordance with section 806, the term 'covered sectors' includes sectors within the following areas, as specified in such regulations:

''(A) Advanced semiconductors and microelectronics.

''(B) Artificial intelligence.

''(C) Quantum information science and technology.

''(D) Hypersonics.

''(E) Satellite-based communications.

''(F) Networked laser scanning systems with dual-use applications.

''(6) PARTY.—The term 'party', with respect to an activity, has the meaning given that term in regulations prescribed in accordance with section 806.

''(7) UNITED STATES.—The term 'United States' means the several States, the District of Columbia, and any territory or possession of the United States.

''(8) UNITED STATES PERSON.—The term 'United States person' means—

''(A) an individual who is a citizen or national of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(B) any corporation, partnership, or other entity organized under the laws of the United States or the laws of any jurisdiction within the United States.

''SEC. 802. ADMINISTRATION OF UNITED STATES INVESTMENT NOTIFICATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this title to the Secretary of the Treasury.

''(b) COORDINATION.—In carrying out the duties of the Secretary under this title, the Secretary shall—

''(1) coordinate with the Secretary of Commerce; and

''(2) consult with the United States Trade Representative, the Secretary of Defense, the Secretary of State, and the Director of National Intelligence.

''SEC. 803. MANDATORY NOTIFICATION OF COVERED ACTIVITIES.

''(a) MANDATORY NOTIFICATION.—

''(1) IN GENERAL.—Subject to regulations prescribed in accordance with section 806, beginning on the date that is 90 days after such regulations take effect, a United States person that plans to engage in a covered activity shall—

''(A) if such covered activity is not a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days before the anticipated completion date of the activity; and

''(B) if such covered activity is a secured transaction, submit to the Secretary of the Treasury a complete written notification of the activity not later than 14 days after the completion date of the activity.

''(2) CIRCULATION OF NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall, upon receipt of a notification under paragraph (1), promptly inspect the notification for completeness.

''(B) INCOMPLETE NOTIFICATIONS.—If a notification submitted under paragraph (1) is incomplete, the Secretary shall promptly inform the United States person that submits the notification that the notification is not complete and provide an explanation of relevant material respects in which the notification is not complete.

''(3) IDENTIFICATION OF NON-NOTIFIED ACTIVITY.—The Secretary shall establish a process to identify covered activity for which—

''(A) a notification is not submitted to the Secretary under paragraph (1); and

''(B) information is reasonably available.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any information or documentary material filed with the Secretary of the Treasury pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public by any government agency or Member of Congress.

''(2) EXCEPTIONS.—The exemption from disclosure provided by paragraph (1) shall not prevent the disclosure of the following:

''(A) Information relevant to any administrative or judicial action or proceeding.

''(B) Information provided to Congress or any of the appropriate congressional committees.

''(C) Information important to the national security analysis or actions of the President to any domestic governmental entity, or to any foreign governmental entity of an ally or partner of the United States, under the direction and authorization of the President or the Secretary, only to the extent necessary for national security purposes, and subject to appropriate confidentiality and classification requirements.

''(D) Information that the parties have consented to be disclosed to third parties.

''SEC. 804. REPORTING REQUIREMENTS.

''(a) IN GENERAL.—Not later than 360 days after the date on which the regulations prescribed under section 806 take effect, and not less frequently than annually thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that—

''(1) lists all notifications submitted under section 803(a) during the year preceding submission of the report and includes, with respect to each such notification—

''(A) basic information on each party to the covered activity with respect to which the notification was submitted; and

''(B) the nature of the covered activity that was the subject to the notification, including the elements of the covered activity that necessitated a notification;

''(2) includes a summary of those notifications, disaggregated by sector, by covered activity, and by country of concern;

''(3) provides additional context and information regarding trends in the sectors, the types of covered activities, and the countries involved in those notifications;

''(4) includes a description of the national security risks associated with—

''(A) the covered activities with respect to which those notifications were submitted; or

''(B) categories of such activities; and

''(5) assesses the overall impact of those notifications, including recommendations for—

''(A) expanding existing Federal programs to support the production or supply of covered sectors in the United States, including the potential of existing authorities to address any related national security concerns;

''(B) investments needed to enhance covered sectors and reduce dependence on countries of concern regarding those sectors; and

''(C) the continuation, expansion, or modification of the implementation and administration of this title, including recommendations with respect to whether the definition of 'country of concern' under section 801(2) should be amended to add or remove countries.

''(b) FORM OF REPORT.—Each report required by this section shall be submitted in unclassified form, but may include a classified annex.

''(c) TESTIMONY REQUIRED.—Not later than one year after the date of enactment of this title, and annually thereafter, the Secretary of the Treasury and the Secretary of Commerce shall each provide to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives testimony with respect to the national security threats relating to investments by the United States persons in countries of concern and broader international capital flows.

''SEC. 805. PENALTIES AND ENFORCEMENT.

''(a) PENALTIES WITH RESPECT TO UNLAWFUL ACTS.—Subject to regulations prescribed in accordance with section 806, it shall be unlawful—

''(1) to fail to submit a notification under subsection (a) of section 803 with respect to a covered activity or to submit other information as required by the Secretary of the Treasury; or

''(2) to make a material misstatement or to omit a material fact in any information submitted to the Secretary under this title.

''(b) ENFORCEMENT.—The President may direct the Attorney General to seek appropriate relief in the district courts of the United States, in order to implement and enforce this title.

''SEC. 806. REQUIREMENT FOR REGULATIONS.

''(a) IN GENERAL.—Not later than 360 days after the date of the enactment of this title, the Secretary of the Treasury shall finalize regulations to carry out this title.

''(b) ELEMENTS.—Regulations prescribed to carry out this title shall include specific examples of the types of—

''(1) activities that will be considered to be covered activities; and

''(2) the specific sectors and subsectors that may be considered to be covered sectors.

''(c) REQUIREMENTS FOR CERTAIN REGULATIONS.—The Secretary of the Treasury shall prescribe regulations further defining the terms used in this title, including 'covered activity', 'covered foreign entity', and 'party', in accordance with subchapter II of chapter 5 and chapter 7 of title 5 (commonly known as the 'Administrative Procedure Act').

''(d) PUBLIC PARTICIPATION IN RULEMAKING.—The provisions of section 709 shall apply to any regulations issued under this title.

''(e) LOW-BURDEN REGULATIONS.—In prescribing regulations under this section, the Secretary of the Treasury shall structure the regulations—

''(1) to minimize the cost and complexity of compliance for affected parties;

''(2) to ensure the benefits of the regulations outweigh their costs;

''(3) to adopt the least burdensome alternative that achieves regulatory objectives;

''(4) to prioritize transparency and stakeholder involvement in the process of prescribing the regulations; and

''(5) to regularly review and streamline existing regulations to reduce redundancy and complexity.

''SEC. 807. MULTILATERAL ENGAGEMENT AND COORDINATION.

''(a) IN GENERAL.—The President shall delegate the authorities and functions under this section to the Secretary of State.

''(b) AUTHORITIES.—The Secretary of State, in coordination with the Secretary of the Treasury, the Secretary of Commerce, the United States Trade Representative, and the Director of National Intelligence, shall—

''(1) conduct bilateral and multilateral engagement with the governments of countries that are allies and partners of the United States to ensure coordination of protocols and procedures with respect to covered activities with countries of concern and covered foreign entities; and

''(2) upon adoption of protocols and procedures described in paragraph (1), work with those governments to establish mechanisms for sharing information, including trends, with respect to such activities.

''(c) STRATEGY FOR DEVELOPMENT OF OUTBOUND INVESTMENT SCREENING MECHANISMS.—The Secretary of State, in coordination with the Secretary of the Treasury and in consultation with the Attorney General, shall—

''(1) develop a strategy to work with countries that are allies and partners of the United States to develop mechanisms comparable to this title for the notification of covered activities; and

''(2) provide technical assistance to those countries with respect to the development of those mechanisms.

''(d) REPORT.—Not later than 90 days after the development of the strategy required by subsection (b), and annually thereafter for a period of 5 years, the Secretary of State shall submit to the appropriate congressional committees a report that includes the strategy, the status of implementing the strategy, and a description of any impediments to the establishment of mechanisms comparable to this title by allies and partners.

''SEC. 808. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this title, including to provide outreach to industry and persons affected by this title.

''(b) HIRING AUTHORITY.—The head of any agency designated as a lead agency under section 802(b) may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, not more than 25 candidates directly to positions in the competitive service (as defined in section 2102 of that title) in that agency. The primary responsibility of individuals in positions authorized under the preceding sentence shall be to administer this title.

''SEC. 809. RULE OF CONSTRUCTION WITH RESPECT TO FREE AND FAIR COMMERCE.

''Nothing in this title may be construed to restrain or deter foreign investment in the United States, United States investment abroad, or trade in goods or services, if such investment and trade do not pose a risk to the national security of the United States.''.

SA 2166. Mr. HAGERTY (for himself and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROHIBITION ON CONTRACTING WITH CERTAIN BIOTECHNOLOGY PROVIDERS.

(a) IN GENERAL.—The head of an executive agency may not—

(1) procure or obtain any biotechnology equipment or service produced or provided by a biotechnology company of concern; or

(2) enter into a contract or extend or renew a contract with any entity that—

(A) uses biotechnology equipment or services produced or provided by a biotechnology company of concern and acquired after the applicable effective date in subsection (c) in performance of the contract with the executive agency; or

(B) enters into any contract the performance of which such entity knows or has reason to believe will require, in performance of the contract with the executive agency, the use of biotechnology equipment or services produced or provided by a biotechnology company of concern and acquired after the applicable effective date in subsection (c).

(b) PROHIBITION ON LOAN AND GRANT FUNDS.—The head of an executive agency may not obligate or expend loan or grant funds to, and a loan or grant recipient may not use loan or grant funds to—

(1) procure, obtain, or use any biotechnology equipment or services produced or provided by a biotechnology company of concern; or

(2) enter into a contract or extend or renew a contract with an entity described in subsection (a)(2).

(c) EFFECTIVE DATES.—

(1) CERTAIN ENTITIES.—With respect to the biotechnology companies of concern covered by subsection (f)(2)(A), the prohibitions under subsections (a) and (b) shall take effect 60 days after the issuance of the regulation in subsection (h).

(2) OTHER ENTITIES.—With respect to the biotechnology companies of concern covered by subsection (f)(2)(B), the prohibitions under subsections (a) and (b) shall take effect 180 days after the issuance of the regulation in subsection (h).

(3) RULES OF CONSTRUCTION.—

(A) CERTAIN ENTITIES.—Prior to January 1, 2032, with respect to biotechnology companies of concern covered by subsections (f)(2)(A), subsections (a)(2) and (b)(2) shall not apply to biotechnology equipment or services produced or provided under a contract or agreement, including previously negotiated contract options, entered into before the effective date under paragraph (1).

(B) OTHER ENTITIES.—Prior to the date that is five years after the issuance of the regulation in subsection (h) that identifies a biotechnology company of concern covered by subsections (f)(2)(B), subsections (a)(2) and (b)(2) shall not apply to biotechnology equipment or services produced or provided under a contract or agreement, including previously negotiated contract options, entered into before the effective date under paragraph (2).

(C) SAFE HARBOR.—The term ''biotechnology equipment or services produced or provided by a biotechnology company of concern'' shall not be construed to refer to any biotechnology equipment or services that were formerly, but are no longer, produced or provided by biotechnology companies of concern.

(d) WAIVER AUTHORITIES.—

(1) SPECIFIC BIOTECHNOLOGY EXCEPTION.—

(A) WAIVER.—The head of the applicable executive agency may waive the prohibition under subsections (a) and (b) on a case-by-case basis—

(i) with the approval of the Director of the Office of Management and Budget, in coordination with the Secretary of Defense; and

(ii) if such head submits a notification and justification to the appropriate congressional committees not later than 30 days after granting such waiver.

(B) DURATION.—

(i) IN GENERAL.—Except as provided in clause (ii), a waiver granted under subparagraph (A) shall last for a period of not more than 365 days.

(ii) EXTENSION.—The head of the applicable executive agency, with the approval of the Director of the Office of Management and Budget, and in coordination with the Secretary of Defense, may extend a waiver granted under subparagraph (A) one time, for a period up to 180 days after the date on which the waiver would otherwise expire, if such an extension is in the national security interests of the United States and if such head submits a notification and justification to the appropriate congressional committees not later than 10 days after granting such waiver extension.

(2) OVERSEAS HEALTH CARE SERVICES.—The head of an executive agency may waive the prohibitions under subsections (a) and (b) with respect to a contract, subcontract, or transaction for the acquisition or provision of health care services overseas on a case-by-case basis—

(A) if the head of such executive agency determines that the waiver is—

(i) necessary to support the mission or activities of the employees of such executive agency described in subsection (e)(2)(A); and

(ii) in the interest of the United States;

(B) with the approval of the Director of the Office of Management and Budget, in consultation with the Secretary of Defense; and

(C) if such head submits a notification and justification to the appropriate congressional committees not later than 30 days after granting such waiver.

(e) EXCEPTIONS.—The prohibitions under subsections (a) and (b) shall not apply to—

(1) any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States;

(2) the acquisition or provision of health care services overseas for—

(A) employees of the United States, including members of the uniformed services (as defined in section 101(a) of title 10, United States Code), whose official duty stations are located overseas or are on permissive temporary duty travel overseas; or

(B) employees of contractors or subcontractors of the United States—

(i) who are performing under a contract that directly supports the missions or activities of individuals described in subparagraph (A); and

(ii) whose primary duty stations are located overseas or are on permissive temporary duty travel overseas; or

(3) the acquisition, use, or distribution of human multiomic data, lawfully compiled, that is commercially or publicly available.

(f) EVALUATION OF CERTAIN BIOTECHNOLOGY ENTITIES.—

(1) ENTITY CONSIDERATION.—Not later than 365 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall publish a list of the entities that constitute biotechnology companies of concern based on a list of suggested entities that shall be provided by the Secretary of Defense in coordination with the Attorney General, the Secretary of Health and Human Services, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director.

(2) BIOTECHNOLOGY COMPANIES OF CONCERN DEFINED.—The term ''biotechnology company of concern'' means—

(A) BGI, MGI, Complete Genomics, WuXi AppTec, and WuXi Biologics;

(B) any entity that is determined by the process established in paragraph (1) to meet the following criteria—

(i) is subject to the administrative governance structure, direction, control, or operates on behalf of the government of a foreign adversary;

(ii) is to any extent involved in the manufacturing, distribution, provision, or procurement of a biotechnology equipment or service; and

(iii) poses a risk to the national security of the United States based on—

(I) engaging in joint research with, being supported by, or being affiliated with a foreign adversary's military, internal security forces, or intelligence agencies;

(II) providing multiomic data obtained via biotechnology equipment or services to the government of a foreign adversary; or

(III) obtaining human multiomic data via the biotechnology equipment or services without express and informed consent; and

(C) any subsidiary, parent, affiliate, or successor of entities listed in subparagraphs (A) and (B), provided they meet the criteria in subparagraph (B)(i).

(3) GUIDANCE.—Not later than 120 days after the date of the enactment of this Act for the biotechnology companies of concern named in paragraph (2)(A), and not later than 180 days after the development of the list pursuant to paragraph (1) and any update to the list pursuant to paragraph (4), the Director of the Office of Management and Budget, in coordination with the Secretary of Defense, the Attorney General, the Secretary of Health and Human Services, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director, shall establish guidance as necessary to implement the requirements of this section.

(4) UPDATES.—The Director of the Office of Management and Budget, in coordination with or based on a recommendation provided by the Secretary of Defense, the Attorney General, the Secretary of Health and Human Services, the Secretary of Commerce, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director, shall periodically, though not less than annually, review and, as appropriate, modify the list of biotechnology companies of concern, and notify the appropriate congressional committees of any such modifications.

(5) NOTICE OF A DESIGNATION AND REVIEW.—

(A) IN GENERAL.—A notice of a designation as a biotechnology company of concern under paragraph (2)(B) shall be issued to any biotechnology company of concern named in the designation—

(i) advising that a designation has been made;

(ii) identifying the criteria relied upon under such subparagraph and, to the extent consistent with national security and law enforcement interests, the information that formed the basis for the designation;

(iii) advising that, within 90 days after receipt of notice, the biotechnology company of concern may submit information and argument in opposition to the designation;

(iv) describing the procedures governing the review and possible issuance of a designation pursuant to paragraph (1); and

(v) where practicable, identifying mitigation steps that could be taken by the biotechnology company of concern that may result in the rescission of the designation.

(B) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

(i) NOTICE OF DESIGNATION.—The Director of the Office of Management and Budget shall submit the notice required under subparagraph (A) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

(ii) INFORMATION AND ARGUMENT IN OPPOSITION TO DESIGNATIONS.—Not later than 7 days after receiving any information and argument in opposition to a designation pursuant to subparagraph (A)(iii), the Director of the Office of Management and Budget shall submit such information to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

(C) EXCEPTIONS.—The provisions under subparagraphs (A) and (B) shall not apply to an entity listed under paragraph (2)(A).

(6) NO IMMEDIATE PUBLIC RELEASE.—Any designation made under paragraph (1) or paragraph (4) shall not be made publicly available until the Director of the Office of Management and Budget, in coordination with appropriate agencies, reviews all information submitted under paragraph (5)(A)(iii) and issues a final determination that a company shall remain listed as a biotechnology company of concern.

(g) EVALUATION OF NATIONAL SECURITY RISKS POSED BY FOREIGN ADVERSARY ACQUISITION OF AMERICAN MULTIOMIC DATA.—

(1) ASSESSMENT.—Not later than 270 days after the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Attorney General of the United States, the Secretary of Health and Human Services, the Secretary of Commerce, the Secretary of Homeland Security, the Secretary of State, and the National Cyber Director, shall complete an assessment of risks to national security posed by human multiomic data from United States citizens that is collected or stored by a foreign adversary from the provision of biotechnology equipment or services.

(2) REPORT REQUIREMENT.—Not later than 30 days after the completion of the assessment developed under paragraph (1), the Director of National Intelligence shall submit a report with such assessment to the appropriate congressional committees.

(3) FORM.—The report required under paragraph (2) shall be in unclassified form accompanied by a classified annex.

(h) REGULATIONS.—Not later than one year after the date of establishment of guidance required under subsection (f)(3), and as necessary for subsequent updates, the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation as necessary to implement the requirements of this section.

(i) REPORTING ON INTELLIGENCE ON NEFARIOUS ACTIVITIES OF BIOTECHNOLOGY COMPANIES WITH HUMAN MULTIOMIC DATA.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of National Intelligence, in consultation with the heads of executive agencies, shall submit to the appropriate congressional committees a report on any intelligence in possession of such agencies related to nefarious activities conducted by biotechnology companies with human multiomic data. The report shall include information pertaining to potential threats to national security or public safety from the selling, reselling, licensing, trading, transferring, sharing, or otherwise providing or making available to any foreign country of any forms of multiomic data of a United States citizen.

(j) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(k) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Oversight and Accountability, the Committee on Energy and Commerce, and the Select Committee on Strategic Competition between the United States and the Chinese Communist Party of the House of Representatives.

(2) BIOTECHNOLOGY EQUIPMENT OR SERVICE.—The term ''biotechnology equipment or service'' means—

(A) equipment, including genetic sequencers, combined mass spectrometry technologies, polymerase chain reaction machines, or any other instrument, apparatus, machine, or device, including components and accessories thereof, that is designed for use in the research, development, production, or analysis of biological materials as well as any software, firmware, or other digital components that are specifically designed for use in, and necessary for the operation of, such equipment;

(B) any service for the research, development, production, analysis, detection, or provision of information, including data storage and transmission related to biological materials, including—

(i) advising, consulting, or support services with respect to the use or implementation of a instrument, apparatus, machine, or device described in subparagraph (A); and

(ii) disease detection, genealogical information, and related services; and

(C) any other service, instrument, apparatus, machine, component, accessory, device, software, or firmware that is designed for use in the research, development, production, or analysis of biological materials that the Director of the Office of Management and Budget, in consultation with the heads of Executive agencies, as determined appropriate by the Director of the Office of Management and Budget, determines appropriate in the interest of national security.

(3) CONTRACT.—Except as the term is used under subsection (b)(2) and subsection (c)(3), the term ''contract'' means any contract subject to the Federal Acquisition Regulation issued under section 1303(a)(1) of title 41, United States Code.

(4) CONTROL.—The term ''control'' has the meaning given to that term in section 800.208 of title 31, Code of Federal Regulations, or any successor regulations.

(5) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code.

(6) FOREIGN ADVERSARY.—The term ''foreign adversary'' has the meaning given the term ''covered nation'' in section 4872(d) of title 10, United States Code.

(7) MULTIOMIC.—The term ''multiomic'' means data types that include genomics, epigenomics, transcriptomics, proteomics, and metabolomics.

(8) OVERSEAS.—The term ''overseas'' means any area outside of the United States, the Commonwealth of Puerto Rico, or a territory or possession of the United States.

SA 2167. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1228. REPEAL OF SUNSET OF IRAN SANCTIONS ACT OF 1996.

(a) FINDINGS.—Congress makes the following findings:

(1) The Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) requires the imposition of sanctions with respect to

Iran's illicit weapons programs, conventional weapons and ballistic missile development, and support for terrorism, including Iran's Revolutionary Guards Corps.

(2) The Government of Iran has acquired destabilizing conventional weapons systems from the Russian Federation and other malign actors, and is funneling weapons and financial support to its terrorist proxies throughout the Middle East, threatening allies and partners of the United States, such as Israel.

(b) STATEMENT OF POLICY.—It is the policy of the United States to fully implement and enforce the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(c) REPEAL OF SUNSET.—Section 13 of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) in the section heading, by striking ''; SUNSET'';

(2) by striking ''(a) EFFECTIVE DATE.—''; and

(3) by striking subsection (b).

SA 2168. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1291. REVIEW OF AND REPORTING ON NATIONAL SECURITY SENSITIVE SITES FOR PURPOSES OF REVIEWS OF REAL ESTATE TRANSACTIONS BY THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

(a) LIST OF NATIONAL SECURITY SENSITIVE SITES.—Section 721(a)(4)(C) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)(C)) is amended by adding at the end the following:

''(iii) LIST OF SITES.—For purposes of subparagraph (B)(ii), the Committee may prescribe through regulations a list of facilities and property of the United States Government that are sensitive for reasons relating to national security. Such list may include certain facilities and property of the intelligence community and National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801)).''.

(b) REVIEW AND REPORTS.—Section 721(m) of the Defense Production Act of 1950 (50 U.S.C. 4565(m)(2)) is amended—

(1) in paragraph (2), by adding at the end the following:

''(L) A description of the activities of the Committee relating to facilities and property of the United States Government determined to be sensitive for reasons relating to national security for purposes of subsection (a)(4)(B)(ii).

''(M) A certification with respect to whether or not the list of such facilities and property prescribed under subsection (a)(4)(C)(iii) is up to date and, if not, an explanation of why not.'';

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

''(4) ANNUAL REVIEW OF LIST OF FACILITIES AND PROPERTY.—Not later than January 31 of each year, each member of the Committee shall—

''(A) review the facilities and property of the agency represented by that member that are on the list prescribed under subparagraph (C)(iii) of subsection (a)(4) of facilities and property that are sensitive for reasons relating to national security for purposes of subparagraph (B)(ii) of that subsection; and

''(B) submit to the chairperson a report on that review, which shall include any recommended updates or revisions to the list.''.

SA 2169. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BENEFICIAL OWNERSHIP INFORMATION REPORTING DEADLINES FOR SMALL BUSINESSES.

Section 5336(b)(1) of title 31, United States Code, is amended—

(1) in subparagraph (B)—

(A) by inserting ''(but which may not adjust the report submission deadline)'' after ''Treasury''; and

(B) by striking ''in a timely manner, and'';

(2) in subparagraph (C)—

(A) by inserting ''(but which may not adjust the report submission deadline)'' after ''Treasury''; and

(B) by striking ''at the time of'' and inserting ''not later than 90 days after the date of such'';

(3) in subparagraph (D)—

(A) by inserting ''(but which may not adjust the report submission deadline)'' after ''Treasury''; and

(B) by striking ''in a timely manner, and not later than 1 year'' and inserting ''not later than 90 days''; and

(4) by adding at the end the following:

''(H) UNABLE TO OBTAIN.—FinCEN may not by rule, guidance, or otherwise, permit a reporting company from submitting a report relating to the inability of the reporting company to obtain or identify information in the alternative to submitting a report required under this subsection.''.

SA 2170. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1272. REPORTS ON ANTI-SEMITIC BOYCOTTS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the head of the Office of Antiboycott Compliance of the Bureau of Industry and Security of the Department of Commerce shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on boycotts targeted at the State of Israel or based on anti-Semitism.

(b) ELEMENTS.—The report required by subsection (a) shall include, for each boycott described in that subsection, a description of—

(1) the boycott; and

(2) the steps taken by the Department of Commerce to combat the boycott.

(c) TERMINATION.—The requirement to submit reports under subsection (a) shall terminate on the date that is 5 years after the date of the enactment of this Act.

SA 2171. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REAUTHORIZATION OF THE LAKE TAHOE RESTORATION ACT.

(a) COOPERATIVE AUTHORITIES.—Section 4(f) of the Lake Tahoe Restoration Act (Public Law 106–506) is amended by striking ''4 fiscal years following the date of enactment of the Water Resources Development Act of 2016'' and inserting ''period beginning on the date of enactment of this subsection and ending on the date described in section 10(a)''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 10(a) of the Lake Tahoe Restoration Act (Public Law 106–506) is amended by striking ''for a period'' and all that follows through the period at the end and inserting '', to remain available until September 30, 2034.''.

SA 2172. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. AMENDMENTS TO THE APEX PROJECT, NEVADA LAND TRANSFER AND AUTHORIZATION ACT OF 1989.

(a) DEFINITIONS.—Section 2(b) of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 169) is amended—

(1) in the matter preceding paragraph (1), by striking ''As used in this Act, the following terms shall have the following meanings—'' and inserting ''In this Act:'';

(2) in each of paragraphs (1), (2), (4), and (5), by inserting a paragraph heading, the text of which comprises the term defined in that paragraph;

(3) in paragraph (3), by inserting ''COUNTY; CLARK COUNTY.—'' before ''The term'';

(4) in paragraph (6)—

(A) by inserting ''FLPMA TERMS.—'' before ''All''; and

(B) by inserting ''(43 U.S.C. 1701 et seq.)'' before the period at the end;

(5) by redesignating paragraphs (1), (2), (3), (4), (5), and (6) as paragraphs (7), (6), (4), (5), (2), and (8), respectively;

(6) by inserting before paragraph (2) (as so redesignated) the following:

''(1) APEX INDUSTRIAL PARK OWNERS ASSOCIATION.—The term 'Apex Industrial Park Owners Association' means the Apex Industrial Park Owners Association formed on

April 9, 2001, and chartered in the State of Nevada (including any successor in interest).''; and

(7) by inserting after paragraph (2) (as so redesignated) the following:

''(3) CITY.—The term 'City' means the city of North Las Vegas, Nevada.''.

(b) KERR-MCGEE SITE TRANSFER.—Section 3(b) of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 170) is amended—

(1) in the first sentence—

(A) by striking ''Clark County'' and inserting ''Clark County, the City, or the Apex Industrial Park Owners Association, individually or jointly, as appropriate,''; and

(B) by striking ''Site'' and inserting ''Site and other land conveyed in accordance with this Act''; and

(2) in the third sentence, by striking ''Clark County'' and inserting ''Clark County, the City, or the Apex Industrial Park Owners Association, individually or jointly, as appropriate,''.

(c) AUTHORIZATION FOR ADDITIONAL TRANSFERS.—Section 4 of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 171) is amended—

(1) in subsection (c), by striking ''Clark County'' and inserting ''Clark County, the City, or the Apex Industrial Park Owners Association, individually or jointly, as appropriate,''; and

(2) in subsection (e), by adding at the end the following:

''(3) MINERAL MATERIALS SALE.—Notwithstanding the requirements of part 3600 of title 43, Code of Federal Regulations (as in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2025), the Secretary may sell, at not less than fair market value, without advertising or calling for bids and without regard to volume or time limitations, mineral materials resulting from grading, land balancing, or other activities on the surface of a parcel of land within the Apex Site for which the United States retains an interest in the minerals.''.

(d) ENVIRONMENTAL CONSIDERATIONS.—Section 6 of the Apex Project, Nevada Land Transfer and Authorization Act of 1989 (Public Law 101–67; 103 Stat. 173) is amended by adding at the end the following:

''(d) COMPLIANCE WITH ENVIRONMENTAL ASSESSMENTS.—Each transfer by the United States of land or interest in lands within the Apex Site or rights-of-way issued pursuant to this Act shall be conditioned on the compliance with applicable Federal land laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).''.

SA 2173. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SLOAN CANYON NATIONAL CONSERVATION AREA BOUNDARY ADJUSTMENT.

(a) DEFINITIONS.—In this section:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the Sloan Canyon National Conservation Area.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior (acting through the Director of the Bureau of Land Management).

(b) BOUNDARY ADJUSTMENT.—

(1) MAP.—Section 603(4) of the Sloan Canyon National Conservation Area Act (16 U.S.C. 460qqq–1(4)) is amended by striking ''map entitled 'Southern Nevada Public Land Management Act' and dated October 1, 2002'' and inserting ''map entitled 'Proposed Sloan Canyon Expansion' and dated June 7, 2023''.

(2) ACREAGE.—Section 604(b) of the Sloan Canyon National Conservation Area Act (16 U.S.C. 460qqq–2(b)) is amended by striking ''48,438'' and inserting ''57,728''.

(c) RIGHT-OF-WAY.—Section 605 of the Sloan Canyon National Conservation Area Act (16 U.S.C. 460qqq–3) is amended by adding at the end the following:

''(h) HORIZON LATERAL PIPELINE RIGHT-OF-WAY.—

''(1) IN GENERAL.—Notwithstanding sections 202 and 503 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1712, 1763) and subject to valid existing rights and paragraph (3), the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this subsection as the 'Secretary'), shall, not later than 1 year after the date of enactment of this subsection, grant to the Southern Nevada Water Authority (referred to in this subsection as the 'Authority'), not subject to the payment of rents or other charges, the temporary and permanent water pipeline infrastructure, and outside the boundaries of the Conservation Area, powerline, facility, and access road rights-of-way depicted on the map for the purposes of—

''(A) performing geotechnical investigations within the rights-of-way; and

''(B) constructing and operating water transmission and related facilities.

''(2) EXCAVATION AND DISPOSAL.—

''(A) IN GENERAL.—The Authority may, without consideration, excavate and use or dispose of sand, gravel, minerals, or other materials from the tunneling of the water pipeline necessary to fulfill the purpose of the rights-of-way granted under paragraph (1).

''(B) MEMORANDUM OF UNDERSTANDING.—Not later than 30 days after the date on which the rights-of-way are granted under paragraph (1), the Secretary and the Authority shall enter into a memorandum of understanding identifying Federal land on which the Authority may dispose of materials under subparagraph (A) to further the interests of the Bureau of Land Management.

''(3) REQUIREMENTS.—A right-of-way issued under this subsection shall be subject to the following requirements:

''(A) The Secretary may include reasonable terms and conditions, consistent with section 505 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1765), as are necessary to protect Conservation Area resources.

''(B) Construction of the water pipeline shall not permanently adversely affect conservation area surface resources.

''(C) The right-of-way shall not be located through or under any area designated as wilderness.''.

(d) PRESERVATION OF TRANSMISSION AND UTILITY CORRIDORS AND RIGHTS-OF-WAY.—The expansion of the Conservation Area boundary under the amendment made by subsection (b)—

(1) shall be subject to valid existing rights, including land within a designated utility transmission corridor or a transmission line right-of-way grant approved by the Secretary in a record of decision issued before the date of enactment of this Act;

(2) shall not preclude—

(A) any activity authorized in accordance with a designated corridor or right-of-way referred to in paragraph (1), including the operation, maintenance, repair, or replacement of any authorized utility facility within the corridor or right-of-way; or

(B) the Secretary from authorizing the establishment of a new utility facility right-of-way within an existing designated transportation and utility corridor referred to in paragraph (1) in accordance with—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws; and

(ii) subject to such terms and conditions as the Secretary determines to be appropriate; and

(3) except as provided in the amendment made by subsection (c), modifies the management of the Conservation Area pursuant to section 605 of the Sloan Canyon National Conservation Area Act (16 U.S.C. 460qqq–3).

SA 2174. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DESIGNATION OF SOUTHERN PAIUTE WILDERNESS, NEVADA.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) STATE.—The term ''State'' means the State of Nevada.

(3) WILDERNESS AREA.—The term ''wilderness area'' means the wilderness area designated by subsection (b)(1).

(b) ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.—

(1) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), there is designated as wilderness and as a component of the National Wilderness Preservation System the approximately 736,188 acres of Federal land managed by the Director of the United States Fish and Wildlife Service in Clark and Lincoln Counties, Nevada, to be known as the ''Southern Paiute Wilderness''.

(2) BOUNDARY.—The boundary of any portion of the wilderness area that is bordered by a road shall be not less than 50 feet from the centerline of the road.

(3) MAP AND LEGAL DESCRIPTION.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the wilderness area.

(B) EFFECT.—The map and legal description prepared under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(C) AVAILABILITY.—The map and legal description prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the United States Fish and Wildlife Service.

(4) WITHDRAWAL.—Subject to valid existing rights, the wilderness area is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing and geothermal leasing laws.

(c) MANAGEMENT.—Subject to valid existing rights, the wilderness area shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land within the boundary of the wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to, and administered as part of, the wilderness area.

(e) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the land designated as the wilderness area—

(i) is within the Mojave Desert;

(ii) is arid in nature; and

(iii) includes ephemeral streams;

(B) the hydrology of the land designated as the wilderness area is predominantly characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region in which the land designated as the wilderness area is located is characterized by—

(i) groundwater subject to local and regional flow gradients; and

(ii) unconfined and artesian conditions;

(D) the land designated as the wilderness area is generally not suitable for use or development of new water resource facilities; and

(E) because of the unique nature and hydrology of the desert land in the wilderness area, it is possible to provide for proper management and protection of the wilderness area and other values of land in ways different from ways used in other laws.

(2) EFFECT.—Nothing in this section—

(A) constitutes an express or implied reservation by the United States of any water or water rights with respect to the wilderness area;

(B) affects any water rights in the State (including any water rights held by the United States) in existence on the date of enactment of this Act;

(C) establishes a precedent with regard to any future wilderness designations;

(D) affects the interpretation of, or any designation made under, any other Act; or

(E) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

(3) STATE WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness area.

(4) NEW PROJECTS.—

(A) DEFINITION OF WATER RESOURCE FACILITY.—

(i) IN GENERAL.—In this paragraph, the term ''water resource facility'' means an irrigation or pumping facility, reservoir, water conservation work, aqueduct, canal, ditch, pipeline, well, hydropower project, transmission or other ancillary facility, and other water diversion, storage, or carriage structure.

(ii) EXCLUSION.—In this paragraph, the term ''water resource facility'' does not include a wildlife guzzler.

(B) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—Except as otherwise provided in this section, on and after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the wilderness area.

(f) WILDFIRE, INSECTS, AND DISEASE.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in the wilderness area as are necessary for the control of fire, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of the activities with a State or local agency).

(g) DATA COLLECTION.—Subject to such terms and conditions as the Secretary may prescribe, nothing in this section precludes the installation and maintenance of hydrologic, meteorological, or climatological collection devices in the wilderness area, if the Secretary determines that the devices and access to the devices are essential to flood warning, flood control, or water reservoir operation activities.

(h) MILITARY OVERFLIGHTS.—Nothing in this section restricts or precludes—

(1) low-level overflights of military aircraft over the wilderness area, including military overflights that can be seen or heard within the wilderness area;

(2) flight testing or evaluation; or

(3) the designation or creation of new units of special use airspace or the establishment of military flight training routes, over the wilderness area.

(i) WILDLIFE MANAGEMENT.—

(1) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness area.

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may conduct any management activities in the wilderness area that are necessary to maintain or restore fish and wildlife populations and the habitats to support the populations, if the activities are carried out—

(A) consistent with relevant wilderness management plans or comprehensive conservation plans; and

(B) in accordance with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) appropriate policies, including policies authorizing the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values with the minimal impact necessary to reasonably accomplish those tasks.

(3) EXISTING ACTIVITIES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the State may continue to use aircraft (including helicopters) to survey, capture, transplant, monitor, and provide water for wildlife populations.

(4) WILDLIFE WATER DEVELOPMENT PROJECTS.—Subject to subsection (e), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness area if—

(A) the structures and facilities would, as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

(B) the visual impacts of the structures and facilities on the wilderness area can reasonably be minimized.

(5) HUNTING, FISHING, AND TRAPPING.—

(A) IN GENERAL.—The Secretary may designate areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness area.

(B) CONSULTATION.—Except in an emergency, the Secretary shall consult with the appropriate State agency and notify the public before taking any action under subparagraph (A).

(j) PRESERVATION OF PUBLIC ACCESS.—The area depicted as ''Corn Creek / Alamo Road'' on the map entitled ''Desert National Wildlife Range Proposed Southern Paiute Wilderness Area'' and dated September 7, 2023, shall be preserved for public access.

SA 2175. Ms. CORTEZ MASTO (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—COMBATING ILLICIT XYLAZINE

SEC. _____01. SHORT TITLE.

This title may be cited as the ''Combating Illicit Xylazine Act''.

SEC. _____02. FINDINGS.

Congress finds the following:

(1) Illicit xylazine presents an urgent threat to public health and safety.

(2) The proliferation of xylazine as an additive to illicit drugs such as fentanyl and other narcotics threatens to exacerbate the opioid public health emergency.

(3) There is currently no drug approved by the Food and Drug Administration to reverse the effects of xylazine in humans.

(4) The adverse effects resulting from the use of xylazine in humans, including depressed breathing and heart rate and unconsciousness, necrosis, sometimes leading to amputation, and other permanent physical health consequences have been observed in humans using xylazine.

(5) The spread of illicit xylazine use has followed geographic patterns seen in the spread of illicit fentanyl use, with proliferation encountered initially in the Northeastern United States and later spreading south and west.

(6) Prompt action to control illicit xylazine will help limit further proliferation of illicit xylazine, saving countless lives.

SEC. _____03. DEFINITIONS.

(a) IN GENERAL.—In this title, the term ''xylazine'' has the meaning given the term in paragraph (60) of section 102 of the Controlled Substances Act, as added by subsection (b) of this section.

(b) CONTROLLED SUBSTANCES ACT.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended—

(1) by redesignating the second paragraph (57) (relating to serious drug felony) and paragraph (58) as paragraphs (58) and (59), respectively; and

(2) by adding at the end the following:

''(60) The term 'xylazine' means the substance xylazine, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible.''.

SEC. _____04. ADDING XYLAZINE TO SCHEDULE III.

Schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812) is amended by adding at the end the following:

''(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of xylazine.''.

SEC. _____05. AMENDMENTS.

(a) AMENDMENT.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by striking paragraph (27) and inserting the following:

''(27)(A) Except as provided in subparagraph (B), the term 'ultimate user' means a person who has lawfully obtained, and who possesses, a controlled substance for the use by the person or for the use of a member of the household of the person or for an animal owned by the person or by a member of the household of the person.

''(B)(i) In the case of xylazine, other than for a drug product approved under subsection (b) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the term 'ultimate user' means a person—

''(I) to whom xylazine was dispensed by—

''(aa) a veterinarian registered under this Act; or

''(bb) a pharmacy registered under this Act pursuant to a prescription of a veterinarian registered under this Act; and

''(II) who possesses xylazine for—

''(aa) an animal owned by the person or by a member of the household of the person;

''(bb) an animal under the care of the person;

''(cc) use in government animal-control programs authorized under applicable Federal, State, Tribal, or local law; or

''(dd) use in wildlife programs authorized under applicable Federal, State, Tribal, or local law.

''(ii) In this subparagraph, the term 'person' includes—

''(I) a government agency or business where animals are located; and

''(II) an employee or agent of an agency or business acting within the scope of their employment or agency.''.

(b) FACILITIES.—An entity that manufactures xylazine, as of the date of enactment of this Act, shall not be required to make capital expenditures necessary to install the security standard required of schedule III of the Controlled Substances Act (21 U.S.C. 801 et seq.) for the purposes of manufacturing xylazine.

(c) LABELING.—The requirements related to labeling, packaging, and distribution logistics of a controlled substance in schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) shall not take effect for xylazine until the date that is 1 year after the date of enactment of this Act.

(d) PRACTITIONER REGISTRATION.—The requirements related to practitioner registration, inventory, and recordkeeping of a controlled substance in schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) shall not take effect for xylazine until the date that is 60 days after the date of enactment of this Act. A practitioner that has applied for registration during the 60-day period beginning on the date of enactment of this Act may continue their lawful activities until such application is approved or denied.

(e) MANUFACTURER TRANSITION.—The Food and Drug Administration and the Drug Enforcement Administration shall facilitate and expedite the relevant manufacturer submissions or applications required by the placement of xylazine on schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(f) CLARIFICATION.—Nothing in this title, or the amendments made by this title, shall be construed to require the registration of an ultimate user of xylazine under the Controlled Substances Act (21 U.S.C. 801 et seq.) in order to possess xylazine in accordance with subparagraph (B) of section 102(27) of that Act (21 U.S.C. 802(27)), as added by subsection (a) of this section.

SEC. _____06. ARCOS TRACKING.

Section 307(i) of the Controlled Substances Act (21 U.S.C. 827(i)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting ''or xylazine'' after ''gamma hydroxybutyric acid'';

(B) by inserting ''or 512'' after ''section 505''; and

(C) by inserting ''respectively,'' after ''the Federal Food, Drug, and Cosmetic Act,''; and

(2) in paragraph (6), by inserting ''or xylazine'' after ''gamma hydroxybutyric acid''.

SEC. _____07. SENTENCING COMMISSION.

Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend its sentencing guidelines, policy statements, and official commentary applicable to persons convicted of an offense under section 401 of the Controlled Substances Act (21 U.S.C. 841) or section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) to provide appropriate penalties for offenses involving xylazine that are consistent with the amendments made by this title. In carrying out this section, the Commission should consider the common forms of xylazine as well as its use alongside other scheduled substances.

SEC. _____08. REPORT TO CONGRESS ON XYLAZINE.

(a) INITIAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Attorney General, acting through the Administrator of the Drug Enforcement Administration and in coordination with the Commissioner of Food and Drugs, shall submit to Congress a report on the prevalence of illicit use of xylazine in the United States and the impacts of such use, including—

(1) where the drug is being diverted;

(2) where the drug is originating; and

(3) whether any analogues to xylazine, or related or derivative substances, exist and present a substantial risk of abuse.

(b) ADDITIONAL REPORT.—Not later than 4 years after the date of the enactment of this Act, the Attorney General, acting through the Administrator of the Drug Enforcement Administration and in coordination with the Commissioner of Food and Drugs, shall submit to Congress a report updating Congress on the prevalence and proliferation of xylazine trafficking and misuse in the United States.

SA 2176. Ms. CORTEZ MASTO (for herself and Mr. MORAN) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DATA MATCHING AGREEMENT WITH THE DEPARTMENT OF EDUCATION.

Not later than 1 year after the date of enactment of this Act, the Secretary of Defense shall complete a data matching agreement with the Secretary of Education in order to ensure that individuals who are current or former active-duty military service members or civilian employees and are otherwise eligible for assistance under the public service loan forgiveness program under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)) have their periods of employment, beginning on October 1, 2007, certified.

SA 2177. Ms. CORTEZ MASTO (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. INVEST TO PROTECT ACT OF 2024.

(a) SHORT TITLE.—

This section may be cited as the ''Invest to Protect Act of 2024''.

(b) GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) DE-ESCALATION TRAINING.—The term ''de-escalation training'' means training relating to taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.

(B) DIRECTOR.—The term ''Director'' means the Director of the Office.

(C) ELIGIBLE LOCAL GOVERNMENT.—The term ''eligible local government'' means—

(i) a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level that employs fewer than 175 law enforcement officers; and

(ii) a Tribal government that employs fewer than 175 law enforcement officers.

(D) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' has the meaning given the term ''career law enforcement officer'' in section 1709 of title I the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10389).

(E) OFFICE.—The term ''Office'' means the Office of Community Oriented Policing Services of the Department of Justice.

(2) ESTABLISHMENT.—There is established within the Office a grant program to—

(A) provide training and access to mental health resources to local law enforcement officers; and

(B) improve the recruitment and retention of local law enforcement officers.

(3) AUTHORITY.—

(A) IN GENERAL.—As provided in advance in appropriations Acts, the Director shall award grants to eligible local governments as a part of the grant program established under paragraph (2).

(B) LIMITATION.—Any sums provided in advance in appropriations Acts to carry out the grant program established under paragraph (2) shall not exceed $50,000,000 each fiscal year.

(4) APPLICATIONS.—

(A) BARRIERS.—The Attorney General shall determine what barriers exist to establishing a streamlined application process for grants under this subsection.

(B) REPORT.—

(i) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the

Attorney General shall submit to Congress a report that includes a plan to execute a streamlined application process for grants under this subsection under which an eligible local government seeking a grant under this subsection can reasonably complete the application in not more than 2 hours.

(ii) CONTENTS OF PLAN.—The plan required under clause (i) may include a plan for—

(I) proactively providing eligible local governments seeking a grant under this subsection with information on the data eligible local governments will need to prepare before beginning the grant application; and

(II) ensuring technical assistance is available for eligible local governments seeking a grant under this subsection before and during the grant application process, including through dedicated liaisons within the Office.

(C) APPLICATIONS.—In selecting eligible local governments to receive grants under this subsection, the Director shall use the streamlined application process described in subparagraph (B)(i).

(5) ELIGIBLE ACTIVITIES.—An eligible local government that receives a grant under this subsection may use amounts from the grant only for—

(A) de-escalation training for law enforcement officers;

(B) victim-centered training for law enforcement officers in handling situations of domestic violence;

(C) evidence-based law enforcement safety training for—

(i) active shooter situations;

(ii) the safe handling of illicit drugs and precursor chemicals;

(iii) rescue situations;

(iv) recognizing and countering ambush attacks; or

(v) response to calls for service involving—

(I) persons with mental health needs;

(II) persons with substance use disorders;

(III) veterans;

(IV) persons with disabilities;

(V) vulnerable youth;

(VI) persons who are victims of domestic violence, sexual assault, or trafficking; or

(VII) persons experiencing homelessness or living in poverty;

(D) the offsetting of overtime costs associated with scheduling issues relating to the participation of a law enforcement officer in the training described in subparagraphs (A) through (C), (I), and (J);

(E) a signing bonus for a law enforcement officer in an amount determined by the eligible local government;

(F) a retention bonus for a law enforcement officer—

(i) in an amount determined by the eligible local government that does not exceed 20 percent of the salary of the law enforcement officer; and

(ii) who—

(I) has been employed at the law enforcement agency for not fewer than 5 years;

(II) has not been found by an internal investigation to have engaged in serious misconduct; and

(III) commits to remain employed by the law enforcement agency for not less than 3 years after the date of receipt of the bonus;

(G) a stipend for the graduate education of law enforcement officers in the area of mental health, public health, or social work, which shall not exceed the lesser of—

(i) $10,000; or

(ii) the amount the law enforcement officer pays towards such graduate education;

(H) providing access to patient-centered behavioral health services for law enforcement officers, which may include resources for risk assessments, evidence-based, trauma-informed care to treat post-traumatic stress disorder or acute stress disorder, peer support and counselor services and family supports, and the promotion of improved access to high quality mental health care through telehealth;

(I) the implementation of evidence-based best practices and training on the use of lethal and nonlethal force;

(J) the implementation of evidence-based best practices and training on the duty of care and the duty to intervene; and

(K) data collection for police practices relating to officer and community safety.

(6) REPORTING REQUIREMENTS FOR GRANT RECIPIENTS.—

(A) IN GENERAL.—The Director shall establish reasonable reporting requirements specifically relating to a grant awarded under this subsection for eligible local governments that receive such a grant in order to assist with the evaluation by the Office of the program established under this subsection.

(B) CONSIDERATIONS.—In establishing requirements under subparagraph (A), the Director shall consider the capacity of law enforcement agencies with fewer than 175 officers to collect and report information.

(7) DISCLOSURE OF OFFICER RECRUITMENT AND RETENTION BONUSES.—

(A) IN GENERAL.—Not later than 60 days after the date on which an eligible local government that receives a grant under this subsection awards a signing or retention bonus described in subparagraph (E) or (F) of paragraph (5), the eligible local government shall disclose to the Director and make publicly available on a website of the eligible local government the amount of the bonus.

(B) REPORT.—The Attorney General shall submit to the appropriate congressional committees an annual report that includes each signing or retention bonus disclosed under subparagraph (A) during the preceding year.

(8) GRANT ACCOUNTABILITY.—

(A) IN GENERAL.—All grants awarded by the Director under this subsection shall be subject to the accountability provisions described in this paragraph.

(B) AUDIT REQUIREMENT.—

(i) DEFINITION.—In this subparagraph, the term ''unresolved audit finding'' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(ii) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this paragraph, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this subsection to prevent waste, fraud, and abuse of funds by grantees. The Inspector General of the Department of Justice shall determine the appropriate number of grantees to be audited each year.

(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this subsection that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this subsection during the first 3 fiscal years beginning after the end of the 12-month period described in clause (i).

(iv) REIMBURSEMENT.—If an eligible local government is awarded grant funds under this subsection during the 3-fiscal-year period during which the eligible local government is barred from receiving grants under clause (iii), the Attorney General shall—

(I) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(C) ANNUAL CERTIFICATION.—Beginning in the fiscal year during which audits commence under subparagraph (B)(ii), the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification—

(i) indicating whether—

(I) all audits issued by the Office of the Inspector General of the Department of Justice under subparagraph (B) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(II) all mandatory exclusions required under subparagraph (B)(iii) have been issued; and

(III) all reimbursements required under subparagraph (B)(iv) have been made; and

(ii) that includes a list of any grant recipients excluded under subparagraph (B) from the previous year.

(9) PROGRAM EVALUATION.—Not less frequently than annually, the Attorney General shall analyze the information provided by eligible local governments pursuant to the reporting requirements established under paragraph (6)(A) to evaluate the efficacy of programs funded by the grant program under this subsection.

(10) PREVENTING DUPLICATIVE GRANTS.—

(A) IN GENERAL.—Before the Director awards a grant to an eligible local government under this subsection, the Attorney General shall compare potential grant awards with other grants awarded by the Attorney General to determine if grant awards are or have been awarded for a similar purpose.

(B) REPORT.—If the Attorney General awards grants to the same applicant for a similar purpose, whether through the grant program under this subsection or another grant program administered by the Department of Justice, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

(i) a list of all such grants awarded, including the total dollar amount of any such grants awarded; and

(ii) the reason the Attorney General awarded multiple grants to the same applicant for a similar purpose.

SA 2178. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XV, insert the following:

SEC. 15____. ASSESSMENT OF QUALITY OF DATA USED TO TRAIN ALGORITHMS FOR TARGET IDENTIFICATION.

(a) IN GENERAL.—Not later than December 31, 2025, the Secretary of Defense shall complete a comprehensive assessment of the quality of data and potential for racial bias of data labeling used to train algorithms for target identification and sensor processing and decision-making support.

(b) CONTENTS.—The assessment required by subsection (a) shall include an assessment of data used to train—

(1) target identification algorithms for Project Maven;

(2) intelligence, surveillance, and reconnaissance systems;

(3) weapon systems that have lethal, offensive strike capabilities that are autonomous or planned to become autonomous; and

(4) weapon systems subject to senior review under Department of Defense Directive 3000.09; and

(c) BRIEFING.—Not later than February 1, 2026, the Secretary shall brief the appropriate congressional committees on the completed assessment required by subsection (a) and recommendations how to improve the quality of the assessed data.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) AUTONOMOUS; PLANNED TO BECOME AUTONOMOUS.—

(A) AUTONOMOUS.—The term ''autonomous'', with respect to a weapon system, means that the weapon system, once activated, can select and engage targets without further intervention by an operator, as defined in Department of Defense Directive 3000.09; or

(B) PLANNED TO BECOME AUTONOMOUS.—The term ''planned to become autonomous'', with respect to a weapon system, means that the weapon system has the potential to be deployed in a manner that would qualify as an autonomous weapon system under Department of Defense Directive 3000.09.

(3) QUALITY OF DATA.—The term ''quality of data'' includes—

(A) the accuracy of data labeling;

(B) the condition of the data;

(C) the accuracy of data indexing;

(D) the suitability of the data for the intended task; and

(E) the freedom of the data from unintended bias.

SA 2179. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title II, insert the following:

SEC. 2____. IMPROVEMENTS RELATING TO STEERING COMMITTEE ON EMERGING TECHNOLOGY AND NATIONAL SECURITY.

Section 236 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283), is amended—

(1) in subsection (a), by striking ''may'' and inserting ''shall'';

(2) by redesignating subsection (e) and (f) as subsections (f) and (g), respectively;

(3) by inserting after subsection (d) the following:

''(e) REPORT ON COMPARATIVE CAPABILITIES OF ADVERSARIES WITH RESPECT TO LETHAL AUTONOMOUS WEAPON SYSTEMS.—

''(1) IN GENERAL.—Not later than December 31, 2025, and annually thereafter, the Steering Committee shall submit the appropriate congressional committees a report comparing the capabilities of the United States with the capabilities of adversaries of the United States with respect to weapon systems described in paragraph (3).

''(2) ELEMENTS.—The report required by paragraph (1) shall include—

''(A) for each weapon system described in subsection (c)—

''(i) an evaluation of spending by the United States and adversaries on such weapon system;

''(ii) an evaluation of the test infrastructure and workforce supporting such weapon system; and

''(iii) an evaluation of the quantity of such weapon system under development, developed, or deployed;

''(B) an assessment of the technological progress of the United States and adversaries on lethal fully automated weapon systems technology;

''(C) a description of the timeline for operational deployment of such technology by the United States and adversaries;

''(D) an assessment, conducted in coordination with the Director of National Intelligence, of the intent or willingness of adversaries to use such technology; and

''(E) the approval process of the United States for the development and deployment of lethal automated weapon systems.

''(3) WEAPON SYSTEMS DESCRIBED.—The weapon systems described in this subsection are the following:

''(A) Weapon systems with lethal, offensive capabilities that are fully-automated or have the potential to become fully-automated.

''(B) Weapon systems with targeting assist capabilities.

''(C) Automated systems with intelligence, surveillance, and reconnaissance capabilities.

''(4) FORM.—The report required by paragraph (1) shall be submitted in classified form.

''(5) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

''(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.''; and

(4) in subsection (f), as redesignated by paragraph (2)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

''(2) FULLY AUTOMATED; POTENTIAL TO BECOME FULLY AUTOMATED.—

''(A) FULLY AUTOMATED.—The term 'fully automated', with respect to a weapon system, means that the weapon system, once activated, can select and engage targets without further intervention by an operator, as defined in Department of Defense Directive 3000.09; or

''(B) POTENTIAL TO BECOME FULLY AUTOMATED.—The term 'potential to become fully automated', with respect to a weapon system, means that the weapon system has the potential to be deployed in a manner that would qualify as an autonomous weapon system under Department of Defense Directive 3000.09.''.

SA 2180. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 727. REQUIREMENT TO USE HUMAN-BASED METHODS FOR CERTAIN MEDICAL TRAINING.

(a) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2018. Use of human-based methods for certain medical training

''(a) COMBAT TRAUMA INJURIES.—(1) Not later than October 1, 2025, the Secretary of Defense shall develop, test, and validate human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries with the goal of replacing live animal-based training methods.

''(2) Not later than October 1, 2027, the Secretary—

''(A) shall only use human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries; and

''(B) may not use animals for such purpose.

''(b) EXCEPTION FOR PARTICULAR COMMANDS AND TRAINING METHODS.—(1) The Secretary may exempt a particular command, particular training method, or both, from the requirement for human-based training methods under subsection (a)(2) if the Secretary determines that human-based training methods will not provide an educationally equivalent or superior substitute for live animal-based training methods for such command or training method, as the case may be.

''(2) Any exemption under this subsection shall be for such period, not more than one year, as the Secretary shall specify in granting the exemption. Any exemption may be renewed (subject to the preceding sentence).

''(c) ANNUAL REPORTS.—(1) Not later than October 1 of each year, the Secretary shall submit to the congressional defense committees a report on the development and implementation of human-based training methods for the purpose of training members of the armed forces in the treatment of combat trauma injuries under this section.

''(2) Each report under this subsection on or after October 1, 2027, shall include a description of any exemption under subsection (b) that is in force at the time of such report, and a current justification for such exemption.

''(d) DEFINITIONS.—In this section:

''(1) The term 'combat trauma injuries' means severe injuries likely to occur during combat, including—

''(A) hemorrhage;

''(B) tension pneumothorax;

''(C) amputation resulting from blast injury;

''(D) compromises to the airway; and

''(E) other injuries.

''(2) The term 'human-based training methods' means, with respect to training individuals in medical treatment, the use of systems and devices that do not use animals, including—

''(A) simulators;

''(B) partial task trainers;

''(C) moulage;

''(D) simulated combat environments;

''(E) human cadavers; and

''(F) rotations in civilian and military trauma centers.

''(3) The term 'partial task trainers' means training aids that allow individuals to learn or practice specific medical procedures.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of

such title is amended by adding at the end the following new item:

''2018. Use of human-based methods for certain medical training.''.

SA 2181. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XV, insert the following:

SEC. 15____. FRAMEWORK FOR CONSISTENT DATA MANAGEMENT FOR ARTIFICIAL INTELLIGENCE TARGET IDENTIFICATION.

(a) IN GENERAL.—Not later than December 31, 2025, the Secretary of Defense shall develop and implement a framework for artificial intelligence and machine learning for intelligence, surveillance, reconnaissance, defense, and offensive purposes throughout the Department of Defense.

(b) CONTENTS.—The framework required by subsection (a) shall include—

(1) criteria for data reviewers to ensure data quality—

(A) suitability for training artificial intelligence; and

(B) such additional criteria as the Secretary determines necessary;

(2) a consistent development process and labeling procedures that adhere to the ethical principals for the use of artificial intelligence adopted by the Department, including the principles of responsibility, equitability, traceability, reliability, and governability; and

(3) processes for data input, evaluation, review, feedback, update, and oversight.

(c) BRIEFING.—Not later than February 1, 2026, the Secretary shall brief the appropriate congressional committees on the status of the development and implementation of the framework.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) DATA QUALITY.—The term ''data quality'' includes—

(A) the accuracy of data labeling;

(B) the condition of the data;

(C) the accuracy of data indexing;

(D) the suitability of the data for the intended task; and

(E) the freedom of the data from unintended bias.

SA 2182. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. SELECTIVE SERVICE REGISTRATION NONCOMPLIANCE REPORT.

(a) DEFINITION.—In this section, the term ''selective service registration requirement'' means the requirement to register under section 3 of the Military Selective Service Act (50 U.S.C. 3802).

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress, and make publicly available, a report on the demographics of individuals reported by the Director of Selective Service to have failed to comply with the selective service registration requirements during the period beginning on January 1, 2004, and ending on December 31, 2024.

(2) CONTENTS.—The report submitted under paragraph (1) shall provide—

(A) a statistical breakdown of the racial, ethnic, and socio-economic demographics of individuals reported to have failed to comply with the selective service registration requirements;

(B) a summary of which populations are most likely to fail to comply with the selective service registration requirements; and

(C) explanations for potential limitations or biases of the data available to the Attorney General regarding failure to comply with the selective service registration requirements that could affect the report or the representation of the demographics of those who failed to comply.

(3) PROTECTION OF INFORMATION.—The report submitted under paragraph (1) shall not contain any personal identifying information.

(c) AUTHORITY TO SURVEY.—If the Attorney General does not have sufficient authority to collect data or information to complete the report required under subsection (b)(1), the Attorney General may conduct a targeted survey jointly with the Director of the Bureau of the Census, the Director of Selective Service, or both of individuals reported to have failed to comply with the selective service registration requirements to gather sufficient demographic information to complete the report.

SA 2183. Mr. WYDEN (for himself, Ms. LUMMIS, and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 523 and insert the following:

SEC. 523. REPEAL OF MILITARY SELECTIVE SERVICE ACT.

(a) REPEAL.—The Military Selective Service Act (50 U.S.C. 3801 et seq.) is repealed.

(b) TRANSFERS IN CONNECTION WITH REPEAL.—Notwithstanding the proviso in section 10(a)(4) of the Military Selective Service Act (50 U.S.C. 3809(a)(4)), the Office of Selective Service Records shall not be reestablished upon the repeal of the Act. Not later than 180 days after the date of the enactment of this Act, the assets, contracts, property, and records held by the Selective Service System, and the unexpended balances of any appropriations available to the Selective Service System, shall be transferred to the Administrator of General Services upon the repeal of the Act. The Director of the Office of Personnel Management shall assist officers and employees of the Selective Service System to transfer to other positions in the executive branch.

(c) EFFECT ON EXISTING SANCTIONS.—

(1) Notwithstanding any other provision of law, a person may not be denied a right, privilege, benefit, or employment position under Federal law on the grounds that the person failed to present himself for and submit to registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a).

(2) A State, political subdivision of a State, or political authority of two or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law to penalize or deny any privilege or benefit to a person who failed to present himself for and submit to registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a). In this section, ''State'' means a State, the District of Columbia, and a territory or possession of the United States.

(3) Failing to present oneself for and submit to registration under section 3 of the Military Selective Service Act (50 U.S.C. 3802), before the repeal of that Act by subsection (a), shall not be reason for any entity of the United States Government to determine that a person lacks good moral character or is unsuited for any privilege or benefit.

(d) CONSCIENTIOUS OBJECTORS.—Nothing contained in this section shall be construed to undermine or diminish the rights of conscientious objectors under laws and regulations of the United States.

In title V, strike subtitle J.

SA 2184. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 10____. DESIGNATION OF WILDERNESS AND NATIONAL RECREATION AREAS, OREGON.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means—

(A) the Secretary of the Interior, with respect to public land administered by the Secretary of the Interior; or

(B) the Secretary of Agriculture, with respect to National Forest System land.

(2) STATE.—The term ''State'' means the State of Oregon.

(b) ROGUE CANYON AND MOLALLA RECREATION AREAS, OREGON.—

(1) DESIGNATION OF ROGUE CANYON AND MOLALLA RECREATION AREAS.—For the purposes of protecting, conserving, and enhancing the unique and nationally important recreational, ecological, scenic, cultural, watershed, and fish and wildlife values of the areas, the following areas in the State are designated as recreation areas for management by the Secretary in accordance with paragraph (3):

(A) ROGUE CANYON RECREATION AREA.—The approximately 98,150 acres of Bureau of Land Management land within the boundary generally depicted as the ''Rogue Canyon Recreation Area'' on the map entitled ''Rogue Canyon Recreation Area Wild Rogue Wilderness Additions'' and dated November 19, 2019, which is designated as the ''Rogue Canyon Recreation Area''.

(B) MOLALLA RECREATION AREA.—The approximately 29,884 acres of Bureau of Land Management land within the boundary generally depicted on the map entitled ''Molalla Recreation Area'' and dated September 26, 2018, which is designated as the ''Molalla Recreation Area''.

(2) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of each recreation area designated by paragraph (1).

(B) EFFECT.—The maps and legal descriptions prepared under subparagraph (A) shall have the same force and effect as if included in this subsection, except that the Secretary may correct any minor errors in the maps and legal descriptions.

(C) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under subparagraph (A) shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

(3) ADMINISTRATION.—

(A) APPLICABLE LAW.—The Secretary shall administer each recreation area designated by paragraph (1)—

(i) in a manner that conserves, protects, and enhances the purposes for which the recreation area is established; and

(ii) in accordance with—

(I) this subsection;

(II) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(III) other applicable laws.

(B) USES.—The Secretary shall only allow those uses of a recreation area designated by paragraph (1) that are consistent with the purposes for which the recreation area is established.

(C) WILDFIRE RISK ASSESSMENT.—Not later than 280 days after the date of enactment of this Act, the Secretary, in consultation with the Oregon Governor's Council on Wildfire Response, shall conduct a wildfire risk assessment that covers—

(i) the recreation areas designated by paragraph (1);

(ii) the Wild Rogue Wilderness; and

(iii) any Federal land adjacent to an area described in clause (i) or (ii).

(D) WILDFIRE MITIGATION PLAN.—

(i) IN GENERAL.—Not later than 1 year after the date on which the wildfire risk assessment is conducted under subparagraph (C), the Secretary shall develop a wildfire mitigation plan, based on the wildfire risk assessment, that identifies, evaluates, and prioritizes treatments and other management activities that can be implemented on the Federal land covered by the wildfire risk assessment (other than Federal land designated as a unit of the National Wilderness Preservation System) to mitigate wildfire risk to communities located near the applicable Federal land.

(ii) PLAN COMPONENTS.—The wildfire mitigation plan developed under clause (i) shall include—

(I) vegetation management projects (including mechanical treatments to reduce hazardous fuels and improve forest health and resiliency);

(II) evacuation routes for communities located near the applicable Federal land, which shall be developed in consultation with State and local fire agencies; and

(III) strategies for public dissemination of emergency evacuation plans and routes.

(iii) APPLICABLE LAW.—The wildfire mitigation plan under clause (i) shall be developed in accordance with—

(I) this subsection; and

(II) any other applicable law.

(E) ROAD CONSTRUCTION.—

(i) IN GENERAL.—Except as provided in clause (ii) or as the Secretary determines necessary for public safety, no new permanent or temporary roads shall be constructed (other than the repair and maintenance of existing roads) within a recreation area designated by paragraph (1).

(ii) TEMPORARY ROADS.—Consistent with the purposes of this section, the Secretary may construct temporary roads within a recreation area designated by paragraph (1) to implement the wildfire mitigation plan developed under subparagraph (D), unless the temporary road would be within an area designated as a unit of the National Wilderness Preservation System.

(iii) EFFECT.—Nothing in this subparagraph affects the administration by the Secretary of the Molalla Forest Road in accordance with applicable resource management plans.

(F) EFFECT ON WILDFIRE MANAGEMENT.—Nothing in this subsection alters the authority of the Secretary (in cooperation with other Federal, State, and local agencies, as appropriate) to conduct wildland fire operations within a recreation area designated by paragraph (1), consistent with the purposes of this subsection.

(G) WITHDRAWAL.—Subject to valid existing rights, all Federal surface and subsurface land within a recreation area designated by paragraph (1) is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral leasing, geothermal leasing, or mineral materials.

(H) NO EFFECT ON WILDERNESS AREAS.—Any wilderness area located within a recreation area designated by paragraph (1) shall be administered in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(4) ADJACENT MANAGEMENT.—Nothing in this subsection creates any protective perimeter or buffer zone around a recreation area designated by paragraph (1) .

(c) EXPANSION OF WILD ROGUE WILDERNESS AREA.—

(1) DEFINITIONS.—In this subsection:

(A) MAP.—The term ''map'' means the map entitled ''Rogue Canyon Recreation Area Wild Rogue Wilderness Additions'' and dated November 19, 2019.

(B) WILDERNESS ADDITIONS.—The term ''Wilderness additions'' means the land added to the Wild Rogue Wilderness under paragraph (2)(A).

(2) EXPANSION OF WILD ROGUE WILDERNESS AREA.—

(A) EXPANSION.—The approximately 59,512 acres of Federal land in the State generally depicted on the map as ''Proposed Wilderness'' shall be added to and administered as part of the Wild Rogue Wilderness in accordance with the Endangered American Wilderness Act of 1978 (16 U.S.C. 1132 note; Public Law 95–237), except that—

(i) the Secretary of the Interior and the Secretary of Agriculture shall administer the Federal land under their respective jurisdiction; and

(ii) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of Agriculture or the Secretary of the Interior, as applicable.

(B) MAP; LEGAL DESCRIPTION.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the wilderness area designated by subparagraph (A).

(ii) FORCE OF LAW.—The map and legal description filed under clause (i) shall have the same force and effect as if included in this subsection, except that the Secretary may correct typographical errors in the map and legal description.

(iii) PUBLIC AVAILABILITY.—The map and legal description filed under clause (i) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and Forest Service.

(C) FIRE, INSECTS, AND DISEASE.—The Secretary may take such measures within the Wilderness additions as the Secretary determines to be necessary for the control of fire, insects, and disease, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)).

(D) WITHDRAWAL.—Subject to valid existing rights, the Wilderness additions are withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral leasing, geothermal leasing, or mineral materials.

(E) TRIBAL RIGHTS.—Nothing in this paragraph alters, modifies, enlarges, diminishes, or abrogates the treaty rights of any Indian Tribe.

(d) WITHDRAWAL OF FEDERAL LAND, CURRY COUNTY AND JOSEPHINE COUNTY, OREGON.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE FEDERAL LAND.—The term ''eligible Federal land'' means—

(i) any federally owned land or interest in land depicted on the Maps as within the Hunter Creek and Pistol River Headwaters Withdrawal Proposal or the Rough and Ready and Baldface Creeks Mineral Withdrawal Proposal; or

(ii) any land or interest in land located within such withdrawal proposals that is acquired by the Federal Government after the date of enactment of this Act.

(B) MAPS.—The term ''Maps'' means—

(i) the Bureau of Land Management map entitled ''Hunter Creek and Pistol River Headwaters Withdrawal Proposal'' and dated January 12, 2015; and

(ii) the Bureau of Land Management map entitled ''Rough and Ready and Baldface Creeks Mineral Withdrawal Proposal'' and dated January 12, 2015.

(2) WITHDRAWAL.—Subject to valid existing rights, the eligible Federal land is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation under the mineral leasing and geothermal leasing laws.

(3) AVAILABILITY OF MAPS.—Not later than 30 days after the date of enactment of this Act, the Maps shall be made available to the public at each appropriate office of the Bureau of Land Management.

(4) EXISTING USES NOT AFFECTED.—Except with respect to the withdrawal under paragraph (2), nothing in this subsection restricts recreational uses, hunting, fishing, forest management activities, or other authorized uses allowed on the date of enactment of this Act on the eligible Federal land in accordance with applicable law.

SA 2185. Mr. WYDEN (for himself and Mr. SCHMITT) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle H of title X, insert the following:

SEC. ___. GAO STUDY AND REPORT ON INTENTIONAL DISRUPTION OF THE NATIONAL AIRSPACE SYSTEM.

(a) STUDY.—The Comptroller General of the United States (in this section referred to as the ''Comptroller General'') shall conduct a study on the vulnerability of the National Airspace System to potential disruptive operations by any person, party, or entity (in this section referred to as ''adversaries'') exploiting the electromagnetic spectrum and security vulnerabilities in the Aircraft Communications, Reporting and Addressing System (ACARS) and Controller Pilot Data Link Communications (CPDLC). Such study shall include an analysis of—

(1) the extent to which adversaries can engage in denial of service attacks and electromagnetic spectrum interference against—

(A) the National Airspace System; and

(B) high-traffic international routes of economic and strategic importance to the United States;

(2) the Federal Government's efforts, to date, to prevent and prepare for such denial of service attacks and spectrum disruptions;

(3) the feasibility of mitigating the vulnerabilities through cybersecurity and other upgrades to the Aircraft Communications, Reporting and Addressing System and Controller Pilot Data Link Communications;

(4) whether the Federal Aviation Administration is requiring sufficient cybersecurity and electromagnetic spectrum defenses to address denial of service attacks and other risks in new technologies it mandates be used on aircraft; and

(5) any other item determined appropriate by the Comptroller General.

(b) REPORT.—

(1) TO CONGRESS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Select Committee on Intelligence of the Senate and the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Permanent Select Committee on Intelligence of the House of Representatives a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

(B) UNCLASSIFIED FORM.—In preparing the report under subparagraph (A), the Comptroller General shall ensure that any classified information is only in an addendum to the report and not in the main body of the report.

(2) PUBLIC AVAILABILITY.—The Comptroller General shall post the report submitted under paragraph (1) on the public internet website of the Government Accountability Office at the time of such submission, but shall not include any classified addendum included with such report.

SA 2186. Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. REQUIREMENT FOR INFORMATION SHARING AGREEMENTS.

Section 7201(d) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (2 U.S.C. 4112(d)) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking ''DESIGNATION'' and inserting ''SINGLE POINTS OF CONTACT'';

(B) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—On and after the date of enactment of the National Defense Authorization Act for Fiscal Year 2025—

''(i) the Director of the Cybersecurity and Infrastructure Security Agency shall serve as the single point of contact with the legislative branch on matters related to tactical and operational cybersecurity threats and security vulnerabilities; and

''(ii) the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation shall serve as the single point of contact with the legislative branch on matters related to tactical and operational counterintelligence.''; and

(C) in subparagraph (B), by striking ''The individuals designated by the President under subparagraph (A)'' and inserting ''The Director of the Cybersecurity and Infrastructure Security Agency and the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation'';

(2) in paragraph (2)(A), by striking ''the date of enactment of this Act, the individuals designated by the President under paragraph (1)(A)'' and inserting ''the date of enactment of the National Defense Authorization Act for Fiscal Year 2025, the Director of the Cybersecurity and Infrastructure Security Agency and the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation''; and

(3) in paragraph (3)—

(A) by striking ''the date of enactment of this Act, the individuals designated by the President under paragraph (1)(A)'' and inserting ''the date of enactment of the National Defense Authorization Act for Fiscal Year 2025, the Director of the Cybersecurity and Infrastructure Security Agency and the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation''; and

(B) by striking ''Oversight and Reform'' and inserting ''Oversight and Accountability''.

SA 2187. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. CONTROL OF REMOTE ACCESS OF ITEMS UNDER THE EXPORT CONTROL REFORM ACT OF 2018.

The Export Control Reform Act of 2018 is amended—

(1) in section 1742 (50 U.S.C. 4801), by adding at the end the following:

''(15) REMOTE ACCESS.—The term 'remote access' means—

''(A) access to an item subject to the jurisdiction of the United States by a foreign person through a network connection, including the internet or a cloud computing service, from a location other than where the item is physically located; or

''(B) any other form of access specified in regulations promulgated by the Secretary.'';

(2) in section 1752 (50 U.S.C. 4811)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''or remote access'' after ''export''; and

(ii) in subparagraph (B), by inserting ''or remote access'' after ''export''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''and in-country transfer of items'' and inserting ''in-country transfer, and remote access of items''; and

(ii) in subparagraph (A), by inserting ''or remote access'' after ''the release'';

(3) in section 1753 (50 U.S.C. 4812)—

(A) in subsection (a)—

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

(ii) in paragraph (2)(F), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) the remote access of items subject to the jurisdiction of the United States by a foreign person.'';

(B) in subsection (b)—

(i) by redesignating paragraphs (3) through (7) as paragraphs (4) through (8), respectively; and

(ii) by inserting after paragraph (2) the following:

''(3) regulate the remote access of items described in subsection (a)(3);''; and

(C) in subsection (c)—

(i) by striking ''or in-country transfer'' each place it appears and inserting ''in-country transfer, or remote access''; and

(ii) by striking ''subsections (b)(1) or (b)(2)'' and inserting ''subsections (b)(1), (b)(2), or (b)(3)'';

(4) in section 1754 (50 U.S.C. 4813)—

(A) in subsection (a)—

(i) in paragraph (3), by striking ''and in-country transfers'' and inserting ''in-country transfers, and remote access'';

(ii) in paragraph (4), by striking ''and in-country transfers'' and inserting ''in-country transfers, and remote access'';

(iii) in paragraph (5), by striking ''and in-country transfers'' and inserting ''in-country transfers, and remote access'';

(iv) in paragraph (6), by striking ''United States export control'' and inserting ''United States control'';

(v) in paragraph (7), by striking ''export controls'' and inserting ''controls'';

(vi) in paragraph (10), by striking ''or in-country transferred'' and inserting ''in-country transferred, or accessed remotely'';

(vii) in paragraph (11), by adding at the end before the semicolon the following: ''or remote access''; and

(viii) in paragraph (15), by adding at the end before ''; and'' the following: ''or remotely access'';

(B) in subsection (b), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access''; and

(C) in subsection (d)(1)(A), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access'';

(5) in section 1755 (50 U.S.C. 4814)—

(A) in subsection (b)(2)—

(i) in subparagraph (C), by striking ''and in-country transfers'' and inserting ''in-country transfers, and remote access''; and

(ii) in subparagraph (E), by striking ''and in-country transfers'' and inserting ''in-country transfers, and remote access''; and

(B) in subsection (c), by striking ''export controls'' and inserting ''controls'';

(6) in section 1756 (50 U.S.C. 4815)—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''and in-country transfer'' and inserting ''in-country transfer, and remote access''; and

(B) in subsection (b), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access'';

(7) in section 1757 (50 U.S.C. 4816)—

(A) in subsection (a), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access''; and

(B) in subsection (c)(2), by striking ''export controls'' and inserting ''controls'';

(8) in section 1760 (50 U.S.C. 4819)—

(A) in subsection (a)(2)(F)—

(i) in clause (ii), by striking ''any export control document or any report'' and inserting ''any document or report''; and

(ii) in clause (iii), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access'';

(B) in subsection (c)(1)(C), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remotely access (including the provision thereof)''; and

(C) in subsection (e)(1)(A)—

(i) in clause (i), by striking ''or in-country transfer outside the United States any item'' and inserting ''in-country transfer outside the United States any item, or remotely access any item''; and

(ii) in clause (ii), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remote access'';

(9) in section 1761 (50 U.S.C. 4820)—

(A) in subsection (a)(5), by striking ''or in-country transferred'' and inserting ''in-country transferred, or remotely accessed''; and

(B) in subsection (h)(1)(B), by striking ''or in-country transfer'' and inserting ''in-country transfer, or remotely access''; and

(10) in section 1767(b)(2)(A) (50 U.S.C. 4825(b)(2)(A)), by striking ''and in-country transfer'' and inserting ''in-country transfer, and remote access''.

SA 2188. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 562. SERVICES FOR DELAYED ENTRY PROGRAM PARTICIPANTS.

(a) EXPANSION OF PERIOD OF AVAILABILITY OF MILITARY ONESOURCE PROGRAM FOR NEW RECRUITS ENROLLED IN DELAYED ENTRY PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall prescribe regulations—

(A) extending eligibility for access to the Department of Defense Military OneSource program to recruits enrolled in the Delayed Entry Program (DEP) beginning at the time of signing a Delayed Entry Contract; and

(B) providing that access to Military OneSource services will be immediately terminated should the DEP enrollee be officially released from their Delayed Entry Contract.

(2) INFORMATION TO RECRUITS AND THEIR FAMILIES.—The Secretary of Defense shall inform new recruits enrolled in the Delayed Entry Program and their family members of the wide range of benefits available through the Military OneSource program.

(b) COMPTROLLER GENERAL REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall initiate a review of existing gaps in the Department of Defense's response to victims of sexual assault and harassment among new recruits enrolled in the DEP.

(2) ELEMENTS.—The review required under paragraph (1) shall include—

(A) statistics regarding frequency, geography, and demographics of sexual assault victims enrolled in the DEP for the last five years;

(B) barriers to providing emergency healthcare or healthcare referrals for sexual assault victims enrolled in the DEP;

(C) barriers to providing trauma counseling or counseling referrals for sexual assault victims enrolled in the DEP; and

(D) other relevant issues the Comptroller General deems appropriate.

SA 2189. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. REPORT ON INADEQUATE DREDGING, BAYONNE DRY DOCK, NEW JERSEY.

Not later than 90 days after the date of enactment of this Act, the Secretary of the Army, in consultation with the Administrator of the Maritime Administration, shall submit to Congress a report that—

(1) describes the impact of the dredging problem at Bayonne Dry Dock, New Jersey, on national security, national ship repair and maintenance capacity, maritime infrastructure, and supply chains; and

(2) provides potential solutions that could restore repair and maintenance operations at Bayonne Dry Dock, New Jersey, to maximum capacity in a rapid timeframe.

SA 2190. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. DEPARTMENT OF VETERANS AFFAIRS HIGH TECHNOLOGY PROGRAM.

(a) HIGH TECHNOLOGY PROGRAM.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3699C. High technology program

''(a) ESTABLISHMENT.—(1) The Secretary shall carry out a program under which the Secretary provides covered individuals with the opportunity to enroll in high technology programs of education that the Secretary determines provide training or skills sought by employers in a relevant field or industry.

''(2) Not more than 6,000 covered individuals may participate in the program under this section in any fiscal year.

''(b) AMOUNT OF ASSISTANCE.—(1) The Secretary shall provide, to each covered individual who pursues a high technology program of education under this section, educational assistance in amounts equal to the amounts provided under section 3313(c)(1) of this title, including with respect to the housing stipend described in that section and in accordance with the treatment of programs that are distance learning and programs that are less than half-time.

''(2) Under paragraph (1), the Secretary shall provide such amounts of educational assistance to a covered individual for each of the following:

''(A) A high technology program of education.

''(B) A second such program if—

''(i) the second such program begins at least 18 months after the covered individual graduates from the first such program; and

''(ii) the covered individual uses educational assistance under chapter 33 of this title to pursue the second such program.

''(3) No covered individual may receive a housing stipend under this subsection for any month if such individual is in receipt of a housing stipend under chapter 33 of this title for that month.

''(c) CONTRACTS.—(1) For purposes of carrying out subsection (a), the Secretary shall seek to enter into contracts with any number of qualified providers of high technology programs of education for the provision of such programs to covered individuals. Each such contract shall provide for the conditions under which the Secretary may terminate the contract with the provider and the procedures for providing for the graduation of students who were enrolled in a program provided by such provider in the case of such a termination.

''(2) A contract under this subsection shall provide that the Secretary shall pay to a provider—

''(A) upon the enrollment of a covered individual in the program, 25 percent of the cost of the tuition and other fees for the program of education for the individual;

''(B) upon graduation of the individual from the program, 25 percent of such cost; and

''(C) 50 percent of such cost upon—

''(i) the successful employment of the covered individual for a period—

''(I) of 180 days in the field of study of the program; and

''(II) that begins not later than 180 days following graduation of the covered individual from the program;

''(ii) the employment of the individual by the provider for a period of one year; or

''(iii) the enrollment of the individual in a program of education to continue education in such field of study.

''(3) For purposes of this section, a provider of a high technology program of education is qualified if—

''(A) the provider employs instructors whom the Secretary determines are experts in their respective fields in accordance with paragraph (5);

''(B) the provider has successfully provided the high technology program for at least one year;

''(C) the provider does not charge tuition and fees to a covered individual who receives assistance under this section to pursue such program that are higher than the tuition and fees charged by such provider to another individual; and

''(D) the provider meets the approval criteria developed by the Secretary under paragraph (4).

''(4)(A) The Secretary shall prescribe criteria for approving providers of a high technology program of education under this section.

''(B) In developing such criteria, the Secretary may consult with State approving agencies.

''(C) Such criteria are not required to meet the requirements of section 3672 of this title.

''(D) Such criteria shall include the job placement rate, in the field of study of a program of education, of covered individuals who complete such program of education.

''(5) The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

''(A) identify professions in need of new employees to hire, tailor the programs to meet market needs, and identify the employers likely to hire graduates;

''(B) effectively teach the skills offered to covered individuals;

''(C) provide relevant industry experience in the fields of programs offered to incoming covered individuals; and

''(D) demonstrate relevant industry experience in such fields of programs.

''(6) In entering into contracts under this subsection, the Secretary shall give preference to a provider of a high technology program of education—

''(A) from which at least 70 percent of graduates find full-time employment in the field of study of the program during the 180-day period beginning on the date the student graduates from the program; or

''(B) that offers tuition reimbursement for any student who graduates from such a program and does not find employment described in subparagraph (A).

''(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a covered individual enrolled in a high technology program of education under this section has remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, entitlement of the individual to educational assistance under this section shall be charged at the rate of one month of such remaining entitlement for each such month of educational assistance under this section.

''(2) If a covered individual enrolled in a high technology program of education under this section does not have remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, any educational assistance provided to such individual under this section shall be provided in addition to the entitlement that the individual has used.

''(3) The Secretary may not consider enrollment in a high technology program of education under this section to be assistance under a provision of law referred to in section 3695 of this title.

''(4)(A) An application for enrollment in a high technology program of education under this section shall include notice of the requirements relating to use of entitlement under paragraphs (1) and (2), including—

''(i) in the case of the enrollment of an individual referred to under paragraph (1), the amount of entitlement that is typically charged for such enrollment;

''(ii) an identification of any methods that may be available for minimizing the amount of entitlement required for such enrollment; and

''(iii) an element requiring applicants to acknowledge receipt of the notice under this subparagraph.

''(B) If the Secretary approves the enrollment of a covered individual in a high technology program of education under this section, the Secretary shall deliver electronically to the individual an award letter that provides notice of such approval and includes specific information describing how paragraphs (1) and (2) will be applied to the individual if the individual chooses to enroll in the program.

''(e) REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS.—(1) The Secretary shall not approve the enrollment of any covered individual, not already enrolled, in any high technology programs of education under this section for any period during which the Secretary finds that more than 85 percent of the students enrolled in the program are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs under this title or under chapter 1606 or 1607 of title 10, except with respect to tuition, fees, or other charges that are paid under a payment plan at an educational institution that the Secretary determines has a history of offering payment plans that are completed not later than 180 days after the end of the applicable term, quarter, or semester.

''(2) The Secretary may waive a requirement of paragraph (1) if the Secretary determines, pursuant to regulations which the Secretary shall prescribe, such waiver to be in the interest of the covered individual and the Federal Government. Not later than 30 days after the Secretary waives such a requirement, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such waiver.

''(3)(A)(i) The Secretary shall establish and maintain a process by which an educational institution may request a review of a determination that the educational institution does not meet the requirements of paragraph (1).

''(ii) The Secretary may consult with a State approving agency regarding such process or such a review.

''(iii) Not later than 180 days after the Secretary establishes or revises a process under this subparagraph, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such process.

''(B) An educational institution that requests a review under subparagraph (A)—

''(i) shall request the review not later than 30 days after the start of the term, quarter, or semester for which the determination described in subparagraph (A) applies; and

''(ii) may include any information that the educational institution believes the Department should have taken into account when making the determination, including with respect to any mitigating circumstances.

''(f) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this section, and annually thereafter until the termination date specified in subsection (i), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the operation of programs under this section during the year covered by the report. Each such report shall include each of the following:

''(1) The number of covered individuals enrolled in the program, disaggregated by type of educational institution, during the year covered by the report.

''(2) The number of covered individuals who completed a high technology program of education under the program during the year covered by the report.

''(3) The average employment rate of covered individuals who completed such a program of education during such year, as of 180 days after the date of completion.

''(4) The average length of time between the completion of such a program of education and employment.

''(5) The total number of covered individuals who completed a program of education under the program and who, as of the date of the submission of the report, are employed in a position related to technology.

''(6) The average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology, in various geographic areas determined by the Secretary.

''(7) The average salary of all individuals employed in positions related to technology in the geographic areas determined under subparagraph (F), and the difference, if any, between such average salary and the average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology.

''(8) The number of covered individuals who completed a program of education under the program and who subsequently enrolled in a second program of education under the program.

''(g) COLLECTION OF INFORMATION; CONSULTATION.—(1) The Secretary shall develop practices to use to collect information about covered individuals and providers of high technology programs of education.

''(2) For the purpose of carrying out program under this section, the Secretary may consult with providers of high technology programs of education and may establish an advisory group made up of representatives of such providers, private employers in the technology field, and other relevant groups or entities, as the Secretary determines necessary.

''(h) DEFINITIONS.—In this section:

''(1) The term 'covered individual' means any of the following:

''(A) A veteran whom the Secretary determines—

''(i) served an aggregate of at least 36 months on active duty in the Armed Forces (including service on active duty in entry level and skill training) and was discharged or released therefrom under conditions other than dishonorable; and

''(ii) has not attained the age of 62.

''(B) A member of the Armed Forces that the Secretary determines will become a veteran described in subparagraph (A) fewer than 180 days after the date of such determination.

''(2) The term 'high technology program of education' means a program of education—

''(A) offered by a public or private educational institution;

''(B) if offered by an institution of higher learning, that is provided directly by such institution rather than by an entity other than such institution under a contract or other agreement;

''(C) that does not lead to a degree;

''(D) that has a term of not less than six and not more than 28 weeks; and

''(E) that provides instruction in computer programming, computer software, media application, data processing, or information sciences.

''(i) TERMINATION.—The authority to carry out a program under this section shall terminate on September 30, 2030.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3699B the following new item:

''3699C. High technology program.''.

(b) EFFECT ON HIGH TECHNOLOGY PILOT PROGRAM.—Section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3001 note) is amended—

(1) by amending subsection (d) to read as follows:

''(d) HOUSING STIPEND.—

''(1) IN GENERAL.—Except as provided under paragraph (2), the Secretary shall pay to each eligible veteran (not including an individual described in the second sentence of subsection (b)) who is enrolled in a high technology program of education under the pilot program on a full-time or part-time basis a monthly housing stipend equal to the product—

''(A) of—

''(i) in the case of a veteran pursuing resident training, the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E–5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the campus of the institution where the individual physically participates in a majority of classes; or

''(ii) in the case of a veteran pursuing a program of education through distance learning, a monthly amount equal to 50 percent of the national average of the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E–5, multiplied by

''(B) the lesser of—

''(i) 1.0; or

''(ii) the number of course hours borne by the individual in pursuit of the program of education involved, divided by the minimum number of course hours required for full-time pursuit of such program of education, rounded to the nearest multiple of 10.

''(2) BAR TO DUAL ELIGIBILITY.—No covered individual may receive a housing stipend under this subsection for any month if such individual is in receipt of a housing stipend under chapter 33 of title 38, United States Code, for that month.'';

(2) in subsection (g), by striking paragraph (6); and

(3) by striking subsection (h) and inserting the following new subsection (h):

''(h) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2024.''.

(c) APPROVAL OF CERTAIN HIGH TECHNOLOGY PROGRAMS.—Section 3680A of title 38, United States Code, is amended—

(1) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) Any independent study program except—

''(A) an independent study program (including such a program taken over open circuit television) that—

''(i) is accredited by an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b);

''(ii) leads to—

''(I) a standard college degree;

''(II) a certificate that reflects educational attainment offered by an institution of higher learning; or

''(III) a certificate that reflects graduation from a course of study offered by—

''(aa) an area career and technical education school (as defined in subparagraphs (C) and (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3))) that provides education at the postsecondary level; or

''(bb) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level; and

''(iii) in the case of a program described in clause (ii)(III)—

''(I) provides training aligned with the requirements of employers in the State or local area where the program is located, which may include in-demand industry sectors or occupations;

''(II) provides a student, upon graduation from the program, with a recognized postsecondary credential that is recognized by employers in the relevant industry, which may include a credential recognized by industry or sector partnerships in the State or local area where the industry is located; and

''(III) meets such content and instructional standards as may be required to comply with the criteria under sections 3676(c)(14) and (15) of this title; or

''(B) an online high technology program of education (as defined in subsection (h)(2) of section 3699C of this title)—

''(i) the provider of which has entered into a contract with the Secretary under subsection (c) of such section;

''(ii) that has been provided to covered individuals (as defined in subsection (h)(1) of such section) under such contract for a period of at least five years;

''(iii) regarding which the Secretary has determined that the average employment rate of covered individuals who graduated from such program of education is 65 percent or higher for the year preceding such determination; and

''(iv) that satisfies the requirements of subsection (e) of such section.''; and

(2) in subsection (d), by adding at the end the following:

''(8) Paragraph (1) shall not apply to the enrollment of a veteran in an online high technology program described in subsection (a)(4)(B).''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (c) shall take effect on the date of the enactment of this Act.

SA 2191. Mr. REED (for himself, Ms. COLLINS, Mr. COONS, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. WEATHERIZATION ASSISTANCE PROGRAM.

(a) WEATHERIZATION READINESS FUND.—Section 414 of the Energy Conservation and Production Act (42 U.S.C. 6864) is amended by adding at the end the following:

''(d) WEATHERIZATION READINESS FUND.—

''(1) IN GENERAL.—The Secretary shall establish a fund, to be known as the 'Weatherization Readiness Fund', from which the Secretary shall distribute funds to States receiving financial assistance under this part, in accordance with subsection (a).

''(2) USE OF FUNDS.—

''(A) IN GENERAL.—A State receiving funds under paragraph (1) shall use the funds for repairs to dwelling units described in subparagraph (B) that will remediate the applicable structural defects or hazards of the dwelling unit so that weatherization measures may be installed.

''(B) DWELLING UNIT.—A dwelling unit referred to in subparagraph (A) is a dwelling unit occupied by a low-income person that, on inspection pursuant to the program under this part, was found to have significant defects or hazards that prevented the installation of weatherization measures under the program.

''(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under section 422, there is authorized to be appropriated to the Secretary to carry out this subsection $30,000,000 for each of fiscal years 2025 through 2029.''.

(b) STATE AVERAGE COST PER UNIT.—

(1) IN GENERAL.—Section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) in the first sentence, by striking ''$6,500'' and inserting ''$12,000''; and

(II) by striking ''(c)(1) Except as provided in paragraphs (3) and (4)'' and inserting the following:

''(c) FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—Except as provided in paragraphs (3), (4), and (6)'';

(ii) by conforming the margins of subparagraphs (A) through (D) to the margin of subparagraph (E);

(iii) in subparagraph (D), by striking '', and'' and inserting ''; and''; and

(iv) in subparagraph (E), by adding a period at the end;

(B) in paragraph (2), in the first sentence, by striking ''weatherized (including dwelling units partially weatherized)'' and inserting ''fully weatherized'';

(C) in paragraph (4), by striking ''$3,000'' and inserting ''$6,000'';

(D) in paragraph (5)—

(i) in subparagraph (A)(i), by striking ''(6)(A)(ii)'' and inserting ''(7)(A)(ii)''; and

(ii) by striking ''(6)(A)(i)(I)'' each place it appears and inserting ''(7)(A)(i)(I)'';

(E) by redesignating paragraph (6) as paragraph (7); and

(F) by inserting after paragraph (5) the following:

''(6) LIMIT INCREASE.—The Secretary may increase the amount of financial assistance provided per dwelling unit under this part beyond the limit specified in paragraph (1) if the Secretary determines that market conditions require such an increase to achieve the purposes of this part.''.

(2) CONFORMING AMENDMENT.—Section 414D(b)(1)(C) of the Energy Conservation and Production Act (42 U.S.C. 6864d(b)(1)(C)) is amended by striking ''415(c)(6)(A)'' and inserting ''415(c)(7)''.

SA 2192. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, insert the following:

DIVISION __—FREEDOM TO VOTE

SECTION 1. SHORT TITLE.

This division may be cited as the ''Freedom to Vote Act''.

SEC. 2. ORGANIZATION OF DIVISION INTO SUBDIVISIONS; TABLE OF CONTENTS.

(a) SUBDIVISIONS.—This division is organized into subdivisions as follows:

(1) Subdivision 1—Voter Access.

(2) Subdivision 2—Election Integrity.

(3) Subdivision 3—Civic Participation and Empowerment.

(b) TABLE OF CONTENTS.—The table of contents of this division is as follows:

SEC. 3. FINDINGS OF GENERAL CONSTITUTIONAL AUTHORITY.

Congress finds that the Constitution of the United States grants explicit and broad authority to protect the right to vote, to regulate elections for Federal office, to prevent and remedy discrimination in voting, and to defend the Nation's democratic process. Congress enacts the Freedom to Vote Act pursuant to this broad authority, including but not limited to the following:

(1) Congress finds that it has broad authority to regulate the time, place, and manner of congressional elections under the Elections Clause of the Constitution, article I, section 4, clause 1. The Supreme Court has affirmed that the ''substantive scope'' of the Elections Clause is ''broad''; that ''Times, Places, and Manner'' are ''comprehensive words which embrace authority to provide for a complete code for congressional elections''; and ''[t]he power of Congress over the Times, Places and Manner of congressional elections is paramount, and may be exercised at any time, and to any extent which it deems expedient; and so far as it is exercised, and no farther, the regulations effected supersede those of the State which are inconsistent therewith''. *Arizona* v. *Inter Tribal Council of Arizona*, 570 U.S. 1, 8–9 (2013) (internal quotation marks and citations omitted). Indeed, ''Congress has plenary and paramount jurisdiction over the whole subject'' of congressional elections, *Ex parte Siebold*, 100 U.S. (10 Otto) 371, 388 (1879), and this power ''may be exercised as and when Congress sees fit'', and ''so far as it extends and conflicts with the regulations of the State, necessarily supersedes them''. Id. at 384. Among other things, Congress finds that the Elections Clause was intended to ''vindicate the people's right to equality of representation in the House''. *Wesberry* v. *Sanders*, 376 U.S. 1, 16 (1964), and to address partisan gerrymandering, *Rucho* v. *Common Cause*, 139 S. Ct. 2484 (2019).

(2) Congress also finds that it has both the authority and responsibility, as the legislative body for the United States, to fulfill the promise of article IV, section 4, of the Constitution, which states: ''The United States shall guarantee to every State in this Union a Republican Form of Government[.]''. Congress finds that its authority and responsibility to enforce the Guarantee Clause is clear given that Federal courts have not enforced this clause because they understood that its enforcement is committed to Congress by the Constitution.

(3)(A) Congress also finds that it has broad authority pursuant to section 5 of the Fourteenth Amendment to legislate to enforce the provisions of the Fourteenth Amendment, including its protections of the right to vote and the democratic process.

(B) Section 1 of the Fourteenth Amendment protects the fundamental right to vote, which is ''of the most fundamental significance under our constitutional structure''. *Ill. Bd. of Election* v. *Socialist Workers Party*, 440 U.S. 173, 184 (1979); see *United States* v. *Classic*, 313 U.S. 299 (1941) (''Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted . . .''). As the Supreme Court has repeatedly affirmed, the right to vote is ''preservative of all rights'', *Yick Wo* v. *Hopkins*, 118 U.S. 356, 370 (1886). Section 2 of the Fourteenth Amendment also protects the right to vote, granting Congress additional authority to reduce a State's representation in Congress when the right to vote is abridged or denied.

(C) As a result, Congress finds that it has the authority pursuant to section 5 of the Fourteenth Amendment to protect the right to vote. Congress also finds that States and localities have eroded access to the right to vote through restrictions on the right to vote including excessively onerous voter identification requirements, burdensome voter registration procedures, voter purges, limited and unequal access to voting by mail, polling place closures, unequal distribution of election resources, and other impediments.

(D) Congress also finds that ''the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise''. *Reynolds* v. *Sims*, 377 U.S. 533, 555 (1964). Congress finds that the right of suffrage has been so diluted and debased by means of gerrymandering of districts. Congress finds that it has authority pursuant to section 5 of the Fourteenth Amendment to remedy this debasement.

(4)(A) Congress also finds that it has authority to legislate to eliminate racial discrimination in voting and the democratic process pursuant to both section 5 of the Fourteenth Amendment, which grants equal protection of the laws, and section 2 of the Fifteenth Amendment, which explicitly bars denial or abridgment of the right to vote on account of race, color, or previous condition of servitude.

(B) Congress finds that racial discrimination in access to voting and the political process persists. Voting restrictions, redistricting, and other electoral practices and processes continue to disproportionately impact communities of color in the United States and do so as a result of both intentional racial discrimination, structural racism, and the ongoing structural socioeconomic effects of historical racial discrimination.

(C) Recent elections and studies have shown that minority communities wait longer in lines to vote, are more likely to have their mail ballots rejected, continue to face intimidation at the polls, are more likely to be disenfranchised by voter purges, and are disproportionately burdened by excessively onerous voter identification and other voter restrictions. Research shows that communities of color are more likely to face nearly every barrier to voting than their white counterparts.

(D) Congress finds that racial disparities in disenfranchisement due to past felony convictions is particularly stark. In 2022, according to the Sentencing Project, an estimated 4,600,000 Americans could not vote due to a felony conviction. One in 19 African Americans of voting age is disenfranchised, a rate 3.5 times greater than that of non-African Americans. In eight States—Alabama, Arizona, Florida, Kentucky, Mississippi, South Dakota, Tennessee, and Virginia—more than one in ten African Americans is disenfranchised, nearly twice the national average for African Americans. Congress finds that felony disenfranchisement was one of the tools of intentional racial discrimination during the Jim Crow era. Congress further finds that current racial disparities in felony disenfranchisement are linked to this history of voter suppression, structural racism in the criminal justice system, and ongoing effects of historical discrimination.

(5)(A) Congress finds that it further has the power to protect the right to vote from denial or abridgment on account of sex, age, or ability to pay a poll tax or other tax pursuant to the Nineteenth, Twenty-Fourth, and Twenty-Sixth Amendments.

(B) Congress finds that electoral practices including voting rights restoration conditions for people with convictions and other restrictions to the franchise burden voters on account of their ability to pay.

(C) Congress further finds that electoral practices including voting restrictions related to college campuses, age restrictions on mail voting, and similar practices burden the right to vote on account of age.

SEC. 4. STANDARDS FOR JUDICIAL REVIEW.

(a) IN GENERAL.—For any action brought for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality or lawfulness of any provision of this division or any amendment made by this division or any rule or regulation promulgated under this division, the following rules shall apply:

(1) The action shall be filed in the United States District Court for the District of Columbia and an appeal from the decision of the district court may be taken to the Court of Appeals for the District of Columbia Circuit. These courts, and the Supreme Court of the United States on a writ of certiorari (if such writ is issued), shall have exclusive jurisdiction to hear such actions.

(2) The party filing the action shall concurrently deliver a copy the complaint to the Clerk of the House of Representatives and the Secretary of the Senate.

(3) It shall be the duty of the United States District Court for the District of Columbia and the Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(b) CLARIFYING SCOPE OF JURISDICTION.—If an action at the time of its commencement is not subject to subsection (a), but an amendment, counterclaim, cross-claim, affirmative defense, or any other pleading or motion is filed challenging, whether facially or as-applied, the constitutionality or lawfulness of this division or any amendment made by this division or any rule or regulation promulgated under this division, the district court shall transfer the action to the District Court for the District of Columbia, and the action shall thereafter be conducted pursuant to subsection (a).

(c) INTERVENTION BY MEMBERS OF CONGRESS.—In any action described in subsection (a), any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

SEC. 5. SEVERABILITY.

If any provision of this division or any amendment made by this division, or the application of any such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this division, and the application of such provision or amendment to any other person or circumstance, shall not be affected by the holding.

SUBDIVISION 1—VOTER ACCESS

TITLE I—ELECTION MODERNIZATION AND ADMINISTRATION

SEC. 1000. SHORT TITLE; STATEMENT OF POLICY.

(a) SHORT TITLE.—This title may be cited as the ''Voter Empowerment Act of 2024''.

(b) STATEMENT OF POLICY.—It is the policy of the United States that—

(1) the ability of all eligible citizens of the United States to access and exercise their constitutional right to vote in a free, fair, and timely manner must be vigilantly enhanced, protected, and maintained; and

(2) the integrity, security, and accountability of the voting process must be vigilantly protected, maintained, and enhanced in order to protect and preserve electoral and participatory democracy in the United States.

Subtitle A—Voter Registration Modernization

SEC. 1000A. SHORT TITLE.

This subtitle may be cited as the ''Voter Registration Modernization Act of 2024''.

PART 1—AUTOMATIC VOTER REGISTRATION

SEC. 1001. SHORT TITLE; FINDINGS AND PURPOSE.

(a) SHORT TITLE.—This part may be cited as the ''Automatic Voter Registration Act of 2024''.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that—

(A) the right to vote is a fundamental right of citizens of the United States;

(B) it is the responsibility of the State and Federal governments to ensure that every eligible citizen is registered to vote;

(C) existing voter registration systems can be inaccurate, costly, inaccessible and confusing, with damaging effects on voter participation in elections for Federal office and disproportionate impacts on young people, persons with disabilities, and racial and ethnic minorities; and

(D) voter registration systems must be updated with 21st century technologies and procedures to maintain their security.

(2) PURPOSE.—It is the purpose of this part—

(A) to establish that it is the responsibility of government to ensure that all eligible citizens are registered to vote in elections for Federal office;

(B) to enable the State governments to register all eligible citizens to vote with accurate, cost-efficient, and up-to-date procedures;

(C) to modernize voter registration and list maintenance procedures with electronic and internet capabilities; and

(D) to protect and enhance the integrity, accuracy, efficiency, and accessibility of the electoral process for all eligible citizens.

SEC. 1002. AUTOMATIC REGISTRATION OF ELIGIBLE INDIVIDUALS.

(a) IN GENERAL.—The National Voter Registration Act of 1993 (52 U.S.C. 20504) is amended by inserting after section 5 the following new section:

''SEC. 5A. AUTOMATIC REGISTRATION BY STATE MOTOR VEHICLE AUTHORITY.

''(a) DEFINITIONS.—In this section—

''(1) APPLICABLE AGENCY.—The term 'applicable agency' means, with respect to a State, the State motor vehicle authority responsible for motor vehicle driver's licenses under State law.

''(2) APPLICABLE TRANSACTION.—The term 'applicable transaction' means—

''(A) an application to an applicable agency for a motor vehicle driver's license; and

''(B) any other service or assistance (including for a change of address) provided by an applicable agency.

''(3) AUTOMATIC REGISTRATION.—The term 'automatic registration' means a system that registers an individual to vote and updates existing registrations, in elections for Federal office in a State, if eligible, by electronically transferring the information necessary for registration from the applicable agency to election officials of the State so that, unless the individual affirmatively declines to be registered or to update any voter registration, the individual will be registered to vote in such elections.

''(4) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means, with respect to an election for Federal office, an individual who is otherwise qualified to vote in that election.

''(5) REGISTER TO VOTE.—The term 'register to vote' includes updating an individual's existing voter registration.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—The chief State election official of each State shall establish and operate a system of automatic registration for the registration of eligible individuals to vote for elections for Federal office in the State, in accordance with the provisions of this section.

''(2) REGISTRATION OF VOTERS BASED ON NEW AGENCY RECORDS.—

''(A) IN GENERAL.—The chief State election official shall—

''(i) subject to subparagraph (B), ensure that each eligible individual who completes an applicable transaction and does not decline to register to vote is registered to vote—

''(I) in the next upcoming election for Federal office (and subsequent elections for Federal office), if an applicable agency transmits information under subsection (c)(1)(E) with respect to the individual not later than the applicable date; and

''(II) in subsequent elections for Federal office, if an applicable agency transmits such information with respect to such individual after the applicable date; and

''(ii) not later than 60 days after the receipt of such information with respect to an individual, send written notice to the individual, in addition to other means of notice established by this section, of the individual's voter registration status.

''(B) APPLICABLE DATE.—For purposes of this subsection, the term 'applicable date' means, with respect to any election for Federal office, the later of—

''(i) the date that is 28 days before the date of the election; or

''(ii) the last day of the period provided by State law for registration with respect to such election.

''(C) CLARIFICATION.—Nothing in this subsection shall prevent the chief State election official from registering an eligible individual to vote for the next upcoming election for Federal office in the State even if an applicable agency transmits information under subsection (c)(1)(E) with respect to the individual after the applicable date.

''(3) TREATMENT OF INDIVIDUALS UNDER 18 YEARS OF AGE.—A State may not refuse to treat an individual as an eligible individual for purposes of this section on the grounds that the individual is less than 18 years of age at the time an applicable agency receives information with respect to the individual, so long as the individual is at least 16 years of age at such time. Nothing in the previous sentence may be construed to require a State to permit an individual who is under 18 years of age at the time of an election for Federal office to vote in the election.

''(c) APPLICABLE AGENCY RESPONSIBILITIES.—

''(1) INSTRUCTIONS ON AUTOMATIC REGISTRATION FOR AGENCIES COLLECTING CITIZENSHIP INFORMATION.—

''(A) IN GENERAL.—Except as otherwise provided in this section, in the case of any applicable transaction for which an applicable agency (in the normal course of its operations) requests individuals to affirm United States citizenship (either directly or as part of the overall application for service or assistance or enrollment), the applicable agency shall inform each such individual who is a citizen of the United States of the following:

''(i) Unless that individual declines to register to vote, or is found ineligible to vote, the individual will be registered to vote or, if applicable, the individual's registration will be updated.

''(ii) The substantive qualifications of an elector in the State as listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9, the consequences of false registration, and how the individual should decline to register if the individual does not meet all those qualifications.

''(iii) In the case of a State in which affiliation or enrollment with a political party is required in order to participate in an election to select the party's candidate in an election for Federal office, the requirement that the individual must affiliate or enroll with a political party in order to participate in such an election.

''(iv) Voter registration is voluntary, and neither registering nor declining to register to vote will in any way affect the availability of services or benefits, nor be used for other purposes.

''(B) INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.—In the case in which the individual is a member of a group that constitutes 3 percent or more of the overall population within the State served by the applicable agency as measured by the United States Census and are limited English proficient, the information described in clauses (i) through (iv) of subparagraph (A) shall be provided in a language understood by the individual.

''(C) CLARIFICATION ON PROCEDURES FOR INELIGIBLE VOTERS.—An applicable agency shall not provide an individual who did not affirm United States citizenship, or for whom the agency has conclusive documentary evidence obtained through its normal course of operations that the individual is not a United State citizen, the opportunity to register to vote under subparagraph (A).

''(D) OPPORTUNITY TO DECLINE REGISTRATION REQUIRED.—Except as otherwise provided in this section, each applicable agency shall ensure that each applicable transaction described in subparagraph (A) with an eligible individual cannot be completed until the individual is given the opportunity to decline to be registered to vote. In the case where the individual is a member of a group that constitutes 3 percent or more of the overall population within the State served by the applicable agency as measured by the United States Census and are limited English proficient, such opportunity shall be given in a language understood by the individual.

''(E) INFORMATION TRANSMITTAL.—Not later than 10 days after an applicable transaction with an eligible individual, if the individual did not decline to be registered to vote, the applicable agency shall electronically transmit to the appropriate State election official the following information with respect to the individual:

''(i) The individual's given name(s) and surname(s).

''(ii) The individual's date of birth.

''(iii) The individual's residential address.

''(iv) Information showing that the individual is a citizen of the United States.

''(v) The date on which information pertaining to that individual was collected or last updated.

''(vi) If available, the individual's signature in electronic form.

''(vii) In the case of a State in which affiliation or enrollment with a political party is

required in order to participate in an election to select the party's candidate in an election for Federal office, information regarding the individual's affiliation or enrollment with a political party, but only if the individual provides such information.

''(viii) Any additional information listed in the mail voter registration application form for elections for Federal office prescribed pursuant to section 9, including any valid driver's license number or the last 4 digits of the individual's social security number, if the individual provided such information.

''(F) PROVISION OF INFORMATION REGARDING PARTICIPATION IN PRIMARY ELECTIONS.—In the case of a State in which affiliation or enrollment with a political party is required in order to participate in an election to select the party's candidate in an election for Federal office, if the information transmitted under subparagraph (E) with respect to an individual does not include information regarding the individual's affiliation or enrollment with a political party, the chief State election official shall—

''(i) notify the individual that such affiliation or enrollment is required to participate in primary elections; and

''(ii) provide an opportunity for the individual to update their registration with a party affiliation or enrollment.

''(G) CLARIFICATION.—Nothing in this section shall be read to require an applicable agency to transmit to an election official the information described in subparagraph (E) for an individual who is ineligible to vote in elections for Federal office in the State, except to the extent required to pre-register citizens between 16 and 18 years of age.

''(2) ALTERNATE PROCEDURE FOR CERTAIN OTHER APPLICABLE AGENCIES.—With each applicable transaction for which an applicable agency in the normal course of its operations does not request individuals to affirm United States citizenship (either directly or as part of the overall application for service or assistance), the applicable agency shall—

''(A) complete the requirements of section 5;

''(B) ensure that each applicant's transaction with the applicable agency cannot be completed until the applicant has indicated whether the applicant wishes to register to vote or declines to register to vote in elections for Federal office held in the State; and

''(C) for each individual who wishes to register to vote, transmit that individual's information in accordance with subsection (c)(1)(E), unless the applicable agency has conclusive documentary evidence obtained through its normal course of operations that the individual is not a United States citizen.

''(3) REQUIRED AVAILABILITY OF AUTOMATIC REGISTRATION OPPORTUNITY WITH EACH APPLICATION FOR SERVICE OR ASSISTANCE.—Each applicable agency shall offer each eligible individual, with each applicable transaction, the opportunity to register to vote as prescribed by this section without regard to whether the individual previously declined a registration opportunity.

''(d) VOTER PROTECTION.—

''(1) APPLICABLE AGENCIES' PROTECTION OF INFORMATION.—Nothing in this section authorizes an applicable agency to collect, retain, transmit, or publicly disclose any of the following, except as necessary to comply with title III of the Civil Rights Act of 1960 (52 U.S.C. 20701 et seq.):

''(A) An individual's decision to decline to register to vote or not to register to vote.

''(B) An individual's decision not to affirm his or her citizenship.

''(C) Any information that an applicable agency transmits pursuant to subsection (c)(1)(E), except in pursuing the agency's ordinary course of business.

''(2) ELECTION OFFICIALS' PROTECTION OF INFORMATION.—

''(A) PUBLIC DISCLOSURE PROHIBITED.—

''(i) IN GENERAL.—Subject to clause (ii), with respect to any individual for whom any State election official receives information from an applicable agency, the State election official shall not publicly disclose any of the following:

''(I) Any information not necessary to voter registration.

''(II) Any voter information otherwise shielded from disclosure under State law or section 8(a).

''(III) Any portion of the individual's social security number.

''(IV) Any portion of the individual's motor vehicle driver's license number.

''(V) The individual's signature.

''(VI) The individual's telephone number.

''(VII) The individual's email address.

''(ii) SPECIAL RULE FOR INDIVIDUALS REGISTERED TO VOTE.—The prohibition on public disclosure under clause (i) shall not apply with respect to the telephone number or email address of any individual for whom any State election official receives information from the applicable agency and who, on the basis of such information, is registered to vote in the State under this section.

''(e) MISCELLANEOUS PROVISIONS.—

''(1) ACCESSIBILITY OF REGISTRATION SERVICES.—Each applicable agency shall ensure that the services it provides under this section are made available to individuals with disabilities to the same extent as services are made available to all other individuals.

''(2) TRANSMISSION THROUGH SECURE THIRD PARTY PERMITTED.—Nothing in this section or in the Automatic Voter Registration Act of 2024 shall be construed to prevent an applicable agency from contracting with a third party to assist the agency in meeting the information transmittal requirements of this section, so long as the data transmittal complies with the applicable requirements of this section and such Act, including provisions relating privacy and security.

''(3) NONPARTISAN, NONDISCRIMINATORY PROVISION OF SERVICES.—The services made available by applicable agencies under this section shall be made in a manner consistent with paragraphs (4), (5), and (6)(C) of section 7(a).

''(4) NOTICES.—Each State may send notices under this section via electronic mail if the individual has provided an electronic mail address and consented to electronic mail communications for election-related materials. All notices sent pursuant to this section that require a response must offer the individual notified the opportunity to respond at no cost to the individual.

''(5) REGISTRATION AT OTHER STATE OFFICES PERMITTED.—Nothing in this section may be construed to prohibit a State from offering voter registration services described in this section at offices of the State other than the State motor vehicle authority.

''(f) APPLICABILITY.—

''(1) IN GENERAL.—This section shall not apply to an exempt State.

''(2) EXEMPT STATE DEFINED.—The term 'exempt State' means a State that, under law that is in effect continuously on and after the date of enactment of this section, either—

''(A) has no voter registration requirement for any voter in the State with respect to a Federal election; or

''(B) operates a system of automatic registration at the motor vehicle authority of the State or a Permanent Dividend Fund of the State under which an individual is provided the opportunity to decline registration during the transaction or by way of a notice sent by mail or electronically after the transaction.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 4(a) of the National Voter Registration Act of 1993 (52 U.S.C. 20503(a)) is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting after paragraph (1) the following new paragraph:

''(2) by application made simultaneously with an application for a motor vehicle driver's license pursuant to section 5A;''.

(2) Section 4(b) of the National Voter Registration Act of 1993 (52 U.S.C. 20503(b)) is amended—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(B) by striking ''STATES.—This Act'' and inserting ''STATES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), this Act''; and

(C) by adding at the end the following new paragraph:

''(2) APPLICATION OF AUTOMATIC REGISTRATION REQUIREMENTS.—Section 5A shall apply to a State described in paragraph (1), unless the State is an exempt State as defined in subsection (f)(2) of such section.''.

(3) Section 8(a)(1) of such Act (52 U.S.C. 20507(a)(1)) is amended by redesignating subparagraphs (B), (C), and (D) as subparagraphs (C), (D), and (E), respectively, and by inserting after subparagraph (A) the following new subparagraph:

''(B) in the case of registration under section 5A, within the period provided in section 5A(b)(2);''.

SEC. 1003. VOTER PROTECTION AND SECURITY IN AUTOMATIC REGISTRATION.

(a) PROTECTIONS FOR ERRORS IN REGISTRATION.—An individual shall not be prosecuted under any Federal or State law, adversely affected in any civil adjudication concerning immigration status or naturalization, or subject to an allegation in any legal proceeding that the individual is not a citizen of the United States on any of the following grounds:

(1) The individual notified an election office of the individual's automatic registration to vote.

(2) The individual is not eligible to vote in elections for Federal office but was registered to vote due to individual or agency error.

(3) The individual was automatically registered to vote at an incorrect address.

(4) The individual declined the opportunity to register to vote or did not make an affirmation of citizenship, including through automatic registration.

(b) LIMITS ON USE OF AUTOMATIC REGISTRATION.—The automatic registration (within the meaning of section 5A of the National Voter Registration Act of 1993) of any individual or the fact that an individual declined the opportunity to register to vote or did not make an affirmation of citizenship (including through automatic registration) may not be used as evidence against that individual in any State or Federal law enforcement proceeding or any civil adjudication concerning immigration status or naturalization, and an individual's lack of knowledge or willfulness of such registration may be demonstrated by the individual's testimony alone.

(c) PROTECTION OF ELECTION INTEGRITY.—Nothing in subsections (a) or (b) may be construed to prohibit or restrict any action under color of law against an individual who—

(1) knowingly and willfully makes a false statement to effectuate or perpetuate automatic voter registration (within the meaning of section 5A of the National Voter Registration Act of 1993) by any individual; or

(2) casts a ballot knowingly and willfully in violation of State law or the laws of the United States.

(d) ELECTION OFFICIALS' PROTECTION OF INFORMATION.—

(1) VOTER RECORD CHANGES.—Each State shall maintain for not less than 2 years and shall make available for public inspection (and, where available, photocopying at a reasonable cost), including in electronic form and through electronic methods, all records of changes to voter records, including removals, the reasons for removals, and updates.

(2) DATABASE MANAGEMENT STANDARDS.—Not later than 1 year after the date of enactment of this Act, the Director of the National Institute of Standards and Technology, in consultation with State and local election officials and the Commission, shall, after providing the public with notice and the opportunity to comment—

(A) establish standards governing the comparison of data for voter registration list maintenance purposes, identifying as part of such standards the specific data elements, the matching rules used, and how a State may use the data to determine and deem that an individual is ineligible under State law to vote in an election, or to deem a record to be a duplicate or outdated;

(B) ensure that the standards developed pursuant to this paragraph are uniform and nondiscriminatory and are applied in a uniform and nondiscriminatory manner;

(C) not later than 45 days after the deadline for public notice and comment, publish the standards developed pursuant to this paragraph on the Director's website and make those standards available in written form upon request; and

(D) ensure that the standards developed pursuant to this paragraph are maintained and updated in a manner that reflects innovations and best practices in the security of database management.

(3) SECURITY POLICY.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall, after providing the public with notice and the opportunity to comment, publish privacy and security standards for voter registration information not later than 45 days after the deadline for public notice and comment. The standards shall require the chief State election official of each State to adopt a policy that shall specify—

(i) each class of users who shall have authorized access to the computerized statewide voter registration list, specifying for each class the permission and levels of access to be granted, and setting forth other safeguards to protect the privacy, security, and accuracy of the information on the list; and

(ii) security safeguards to protect personal information transmitted through the information transmittal processes of section 5A(b) of the National Voter Registration Act of 1993, any telephone interface, the maintenance of the voter registration database, and any audit procedure to track access to the system.

(B) MAINTENANCE AND UPDATING.—The Director of the National Institute of Standards and Technology shall ensure that the standards developed pursuant to this paragraph are maintained and updated in a manner that reflects innovations and best practices in the privacy and security of voter registration information.

(4) STATE COMPLIANCE WITH NATIONAL STANDARDS.—

(A) CERTIFICATION.—The chief State election official of the State shall annually file with the Commission a statement certifying to the Director of the National Institute of Standards and Technology that the State is in compliance with the standards referred to in paragraphs (2) and (3). A State may meet the requirement of the previous sentence by filing with the Commission a statement that reads as follows: ''_____ hereby certifies that it is in compliance with the standards referred to in paragraphs (2) and (3) of section 1003(d) of the Automatic Voter Registration Act of 2024.'' (with the blank to be filled in with the name of the State involved).

(B) PUBLICATION OF POLICIES AND PROCEDURES.—The chief State election official of a State shall publish on the official's website the policies and procedures established under this section, and shall make those policies and procedures available in written form upon public request.

(C) FUNDING DEPENDENT ON CERTIFICATION.—If a State does not timely file the certification required under this paragraph, it shall not receive any payment under this part for the upcoming fiscal year.

(D) COMPLIANCE OF STATES THAT REQUIRE CHANGES TO STATE LAW.—In the case of a State that requires State legislation to carry out an activity covered by any certification submitted under this paragraph, for a period of not more than 2 years, the State shall be permitted to make the certification notwithstanding that the legislation has not been enacted at the time the certification is submitted, and such State shall submit an additional certification once such legislation is enacted.

(e) RESTRICTIONS ON USE OF INFORMATION.—No person acting under color of law may discriminate against any individual based on, or use for any purpose other than voter registration, election administration, juror selection, or enforcement relating to election crimes, any of the following:

(1) Voter registration records.

(2) An individual's declination to register to vote or complete an affirmation of citizenship under section 5A of the National Voter Registration Act of 1993.

(3) An individual's voter registration status.

(f) PROHIBITION ON THE USE OF VOTER REGISTRATION INFORMATION FOR COMMERCIAL PURPOSES.—Information collected under this part or the amendments made by this part shall not be used for commercial purposes. Nothing in this subsection may be construed to prohibit the transmission, exchange, or dissemination of information for political purposes, including the support of campaigns for election for Federal, State, or local public office or the activities of political committees (including committees of political parties) under the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.).

SEC. 1004. PAYMENTS AND GRANTS.

(a) IN GENERAL.—The Commission shall make grants to each eligible State to assist the State in implementing the requirements of this part and the amendments made by this part (or, in the case of an exempt State, in implementing its existing automatic voter registration program or expanding its automatic voter registration program in a manner consistent with the requirements of this part) with respect to the offices of the State motor vehicle authority and any other offices of the State at which the State offers voter registration services as described in this part and the amendments made by this part.

(b) ELIGIBILITY; APPLICATION.—A State is eligible to receive a grant under this section if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

(1) a description of the activities the State will carry out with the grant;

(2) an assurance that the State shall carry out such activities without partisan bias and without promoting any particular point of view regarding any issue; and

(3) such other information and assurances as the Commission may require.

(c) AMOUNT OF GRANT; PRIORITIES.—The Commission shall determine the amount of a grant made to an eligible State under this section. In determining the amounts of the grants, the Commission shall give priority to providing funds for those activities that are most likely to accelerate compliance with the requirements of this part (or, in the case of an exempt State, which are most likely to enhance the ability of the State to automatically register individuals to vote through its existing automatic voter registration program), including—

(1) investments supporting electronic information transfer, including electronic collection and transfer of signatures, between applicable agencies (as defined in section 5A of the National Voter Registration Act of 1993) and the appropriate State election officials;

(2) updates to online or electronic voter registration systems already operating as of the date of enactment of this Act;

(3) introduction of online voter registration systems in jurisdictions in which those systems did not previously exist; and

(4) public education on the availability of new methods of registering to vote, updating registration, and correcting registration.

(d) EXEMPT STATE.—For purposes of this section, the term ''exempt State'' has the meaning given that term in section 5A of the National Voter Registration Act of 1993, and also includes a State in which, under law that is in effect continuously on and after the date of enactment of the National Voter Registration Act of 1993, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) AUTHORIZATION.—There are authorized to be appropriated to carry out this section—

(A) $3,000,000,000 for fiscal year 2026; and

(B) such sums as may be necessary for each succeeding fiscal year.

(2) CONTINUING AVAILABILITY OF FUNDS.—Any amounts appropriated pursuant to the authority of this subsection shall remain available without fiscal year limitation until expended.

SEC. 1005. MISCELLANEOUS PROVISIONS.

(a) ENFORCEMENT.—Section 11 of the National Voter Registration Act of 1993 (52 U.S.C. 20510), relating to civil enforcement and the availability of private rights of action, shall apply with respect to this part in the same manner as such section applies to such Act.

(b) RELATION TO OTHER LAWS.—Except as provided, nothing in this part or the amendments made by this part may be construed to authorize or require conduct prohibited under, or to supersede, restrict, or limit the application of any of the following:

(1) The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(3) The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) (other than section 5A thereof).

(4) The Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.).

(5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

SEC. 1006. DEFINITIONS.

In this part, the following definitions apply:

(1) The term ''chief State election official'' means, with respect to a State, the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509) to be responsible for coordination of the State's responsibilities under such Act.

(2) The term ''Commission'' means the Election Assistance Commission.

(3) The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 1007. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this part and the amendments made by this part shall apply on and after January 1, 2027.

(b) WAIVER.—If a State certifies to the Commission not later than January 1, 2027, that the State will not meet the deadline described in subsection (a) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''January 1, 2027'' were a reference to ''January 1, 2029''.

PART 2—ELECTION DAY AS LEGAL PUBLIC HOLIDAY

SEC. 1011. ELECTION DAY AS LEGAL PUBLIC HOLIDAY.

(a) IN GENERAL.—Section 6103(a) of title 5, United States Code, is amended by inserting after the item relating to Columbus Day, the following:

''Election Day, the Tuesday next after the first Monday in November in each even-numbered year.''.

(b) CONFORMING AMENDMENT.—Section 241(b) of the Help America Vote Act of 2002 (52 U.S.C. 20981(b)) is amended—

(1) by striking paragraph (10); and

(2) by redesignating paragraphs (11) through (19) as paragraphs (10) through (18), respectively.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the regularly scheduled general elections for Federal office held in November 2024 or any succeeding year.

PART 3—PROMOTING INTERNET REGISTRATION

SEC. 1021. REQUIRING AVAILABILITY OF INTERNET FOR VOTER REGISTRATION.

(a) REQUIRING AVAILABILITY OF INTERNET FOR REGISTRATION.—The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) is amended by inserting after section 6 the following new section:

''SEC. 6A. INTERNET REGISTRATION.

''(a) REQUIRING AVAILABILITY OF INTERNET FOR ONLINE REGISTRATION.—Each State, acting through the chief State election official, shall ensure that the following services are available to the public at any time on the official public websites of the appropriate State and local election officials in the State, in the same manner and subject to the same terms and conditions as the services provided by voter registration agencies under section 7(a):

''(1) Online application for voter registration.

''(2) Online assistance to applicants in applying to register to vote.

''(3) Online completion and submission by applicants of the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2), including assistance with providing a signature as required under subsection (c).

''(4) Online receipt of completed voter registration applications.

''(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—A State shall accept an online voter registration application provided by an individual under this section, and ensure that the individual is registered to vote in the State, if—

''(1) the individual meets the same voter registration requirements applicable to individuals who register to vote by mail in accordance with section 6(a)(1) using the mail voter registration application form prescribed by the Election Assistance Commission pursuant to section 9(a)(2); and

''(2) the individual meets the requirements of subsection (c) to provide a signature in electronic form (but only in the case of applications submitted during or after the second year in which this section is in effect in the State).

''(c) SIGNATURE REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of this section, an individual meets the requirements of this subsection as follows:

''(A) In the case of an individual who has a signature on file with a State agency, including the State motor vehicle authority, that is required to provide voter registration services under this Act or any other law, the individual consents to the transfer of that electronic signature.

''(B) If subparagraph (A) does not apply, the individual submits with the application an electronic copy of the individual's handwritten signature through electronic means.

''(C) If subparagraph (A) and subparagraph (B) do not apply, the individual executes a computerized mark in the signature field on an online voter registration application, in accordance with reasonable security measures established by the State, but only if the State accepts such mark from the individual.

''(2) TREATMENT OF INDIVIDUALS UNABLE TO MEET REQUIREMENT.—If an individual is unable to meet the requirements under paragraph (1), the State shall—

''(A) permit the individual to complete all other elements of the online voter registration application;

''(B) permit the individual to provide a signature at the time the individual requests a ballot in an election (whether the individual requests the ballot at a polling place or requests the ballot by mail); and

''(C) if the individual carries out the steps described in subparagraphs (A) and (B), ensure that the individual is registered to vote in the State.

''(3) NOTICE.—The State shall ensure that individuals applying to register to vote online are notified of the requirements under paragraph (1) and of the treatment of individuals unable to meet such requirements, as described in paragraph (2).

''(d) CONFIRMATION AND DISPOSITION.—

''(1) CONFIRMATION OF RECEIPT.—

''(A) IN GENERAL.—Upon the online submission of a completed voter registration application by an individual under this section, the appropriate State or local election official shall provide the individual a notice confirming the State's receipt of the application and providing instructions on how the individual may check the status of the application.

''(B) METHOD OF NOTIFICATION.—The appropriate State or local election official shall provide the notice required under subparagraph (A) though the online submission process and—

''(i) in the case of an individual who has provided the official with an electronic mail address, by electronic mail; and

''(ii) at the option of the individual, by text message.

''(2) NOTICE OF DISPOSITION.—

''(A) IN GENERAL.—Not later than 7 days after the date on which the appropriate State or local election official approves or rejects an application submitted by an individual under this section, the official shall provide the individual a notice of the disposition of the application.

''(B) METHOD OF NOTIFICATION.—The appropriate State or local election official shall provide the notice required under subparagraph (A) by regular mail and—

''(i) in the case of an individual who has provided the official with an electronic mail address, by electronic mail; and

''(ii) at the option of the individual, by text message.

''(e) PROVISION OF SERVICES IN NONPARTISAN MANNER.—The services made available under subsection (a) shall be provided in a manner that ensures that—

''(1) the online application does not seek to influence an applicant's political preference or party registration; and

''(2) there is no display on the website promoting any political preference or party allegiance, except that nothing in this paragraph may be construed to prohibit an applicant from registering to vote as a member of a political party.

''(f) PROTECTION OF SECURITY OF INFORMATION.—In meeting the requirements of this section, the State shall establish appropriate technological security measures to prevent to the greatest extent practicable any unauthorized access to information provided by individuals using the services made available under subsection (a).

''(g) ACCESSIBILITY OF SERVICES.—A State shall ensure that the services made available under this section are made available to individuals with disabilities to the same extent as services are made available to all other individuals.

''(h) NONDISCRIMINATION AMONG REGISTERED VOTERS USING MAIL AND ONLINE REGISTRATION.—In carrying out this Act, the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.), or any other Federal, State, or local law governing the treatment of registered voters in the State or the administration of elections for public office in the State, a State shall treat a registered voter who registered to vote online in accordance with this section in the same manner as the State treats a registered voter who registered to vote by mail.''.

(b) SPECIAL REQUIREMENTS FOR INDIVIDUALS USING ONLINE REGISTRATION.—

(1) TREATMENT AS INDIVIDUALS REGISTERING TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME VOTER IDENTIFICATION REQUIREMENTS.—Section 303(b)(1)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(b)(1)(A)) is amended by striking ''by mail'' and inserting ''by mail or online under section 6A of the National Voter Registration Act of 1993''.

(2) REQUIRING SIGNATURE FOR FIRST-TIME VOTERS IN JURISDICTION.—Section 303(b) of such Act (52 U.S.C. 21083(b)) is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph:

''(5) SIGNATURE REQUIREMENTS FOR FIRST-TIME VOTERS USING ONLINE REGISTRATION.—

''(A) IN GENERAL.—A State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of subparagraph (B) if—

''(i) the individual registered to vote in the State online under section 6A of the National Voter Registration Act of 1993; and

''(ii) the individual has not previously voted in an election for Federal office in the State.

''(B) REQUIREMENTS.—An individual meets the requirements of this subparagraph if—

''(i) in the case of an individual who votes in person, the individual provides the appropriate State or local election official with a handwritten signature; or

''(ii) in the case of an individual who votes by mail, the individual submits with the ballot a handwritten signature.

''(C) INAPPLICABILITY.—Subparagraph (A) does not apply in the case of an individual who is—

''(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302 et seq.);

''(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20102(b)(2)(B)(ii)); or

''(iii) entitled to vote otherwise than in person under any other Federal law.''.

(3) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(2)(A) of such Act (52 U.S.C. 21083(d)(2)(A)) is amended by striking ''Each State'' and inserting ''Except as provided in subsection (b)(5), each State''.

(c) CONFORMING AMENDMENTS.—

(1) TIMING OF REGISTRATION.—Section 8(a)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(1)), as amended by section 1002(b)(3), is amended—

(A) by striking ''and'' at the end of subparagraph (D);

(B) by redesignating subparagraph (E) as subparagraph (F); and

(C) by inserting after subparagraph (D) the following new subparagraph:

''(E) in the case of online registration through the official public website of an election official under section 6A, if the valid voter registration application is submitted online not later than the lesser of 28 days, or the period provided by State law, before the date of the election (as determined by treating the date on which the application is sent electronically as the date on which it is submitted); and''.

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES.—Section 8(a)(5) of such Act (52 U.S.C. 20507(a)(5)) is amended by striking ''and 7'' and inserting ''6A, and 7''.

SEC. 1022. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.

(a) IN GENERAL.—

(1) UPDATES TO INFORMATION CONTAINED ON COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)) is amended by adding at the end the following new paragraph:

''(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION.—

''(A) IN GENERAL.—The appropriate State or local election official shall ensure that any registered voter on the computerized list may at any time update the voter's registration information, including the voter's address and electronic mail address, online through the official public website of the election official responsible for the maintenance of the list, so long as the voter attests to the contents of the update by providing a signature in electronic form in the same manner required under section 6A(c) of the National Voter Registration Act of 1993.

''(B) PROCESSING OF UPDATED INFORMATION BY ELECTION OFFICIALS.—If a registered voter updates registration information under subparagraph (A), the appropriate State or local election official shall—

''(i) revise any information on the computerized list to reflect the update made by the voter; and

''(ii) if the updated registration information affects the voter's eligibility to vote in an election for Federal office, ensure that the information is processed with respect to the election if the voter updates the information not later than the lesser of 7 days, or the period provided by State law, before the date of the election.

''(C) CONFIRMATION AND DISPOSITION.—

''(i) CONFIRMATION OF RECEIPT.—Upon the online submission of updated registration information by an individual under this paragraph, the appropriate State or local election official shall send the individual a notice confirming the State's receipt of the updated information and providing instructions on how the individual may check the status of the update.

''(ii) NOTICE OF DISPOSITION.—Not later than 7 days after the appropriate State or local election official has accepted or rejected updated information submitted by an individual under this paragraph, the official shall send the individual a notice of the disposition of the update.

''(iii) METHOD OF NOTIFICATION.—The appropriate State or local election official shall send the notices required under this subparagraph by regular mail and—

''(I) in the case of an individual who has requested that the State provide voter registration and voting information through electronic mail, by electronic mail; and

''(II) at the option of the individual, by text message.''.

(2) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 303(d)(1)(A) of such Act (52 U.S.C. 21083(d)(1)(A)) is amended by striking ''subparagraph (B)'' and inserting ''subparagraph (B) and subsection (a)(6)''.

(b) ABILITY OF REGISTRANT TO USE ONLINE UPDATE TO PROVIDE INFORMATION ON RESIDENCE.—Section 8(d)(2)(A) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(d)(2)(A)) is amended—

(1) in the first sentence, by inserting after ''return the card'' the following: ''or update the registrant's information on the computerized Statewide voter registration list using the online method provided under section 303(a)(6) of the Help America Vote Act of 2002''; and

(2) in the second sentence, by striking ''returned,'' and inserting the following: ''returned or if the registrant does not update the registrant's information on the computerized Statewide voter registration list using such online method,''.

SEC. 1023. PROVISION OF ELECTION INFORMATION BY ELECTRONIC MAIL TO INDIVIDUALS REGISTERED TO VOTE.

(a) INCLUDING OPTION ON VOTER REGISTRATION APPLICATION TO PROVIDE E–MAIL ADDRESS AND RECEIVE INFORMATION.—

(1) IN GENERAL.—Section 9(b) of the National Voter Registration Act of 1993 (52 U.S.C. 20508(b)) is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) in paragraph (4)—

(i) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively; and

(ii) in subparagraph (C), as so redesignated, by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(5) shall include a space for the applicant to provide (at the applicant's option) an electronic mail address, together with a statement that, if the applicant so requests, instead of using regular mail the appropriate State and local election officials shall provide to the applicant, through electronic mail sent to that address, the same voting information (as defined in section 302(b)(2) of the Help America Vote Act of 2002) that the officials would provide to the applicant through regular mail.''.

(2) PROHIBITING USE FOR PURPOSES UNRELATED TO OFFICIAL DUTIES OF ELECTION OFFICIALS.—Section 9 of such Act (52 U.S.C. 20508) is amended by adding at the end the following new subsection:

''(c) PROHIBITING USE OF ELECTRONIC MAIL ADDRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The chief State election official shall ensure that any electronic mail address provided by an applicant under subsection (b)(5) is used only for purposes of carrying out official duties of election officials and is not transmitted by any State or local election official (or any agent of such an official, including a contractor) to any person who does not require the address to carry out such official duties and who is not under the direct supervision and control of a State or local election official.''.

(b) REQUIRING PROVISION OF INFORMATION BY ELECTION OFFICIALS.—Section 302(b) of the Help America Vote Act of 2002 (52 U.S.C. 21082(b)) is amended by adding at the end the following new paragraph:

''(3) PROVISION OF OTHER INFORMATION BY ELECTRONIC MAIL.—If an individual who is a registered voter has provided the State or local election official with an electronic mail address for the purpose of receiving voting information (as described in section 9(b)(5) of the National Voter Registration Act of 1993), the appropriate State or local election official, through electronic mail transmitted not later than 7 days before the date of the election for Federal office involved, shall provide the individual with information on how to obtain the following information by electronic means:

''(A)(i) If the individual is assigned to vote in the election at a specific polling place—

''(I) the name and address of the polling place; and

''(II) the hours of operation for the polling place.

''(ii) If the individual is not assigned to vote in the election at a specific polling place—

''(I) the name and address of locations at which the individual is eligible to vote; and

''(II) the hours of operation for those locations.

''(B) A description of any identification or other information the individual may be required to present at the polling place or a location described in subparagraph (A)(ii)(I) to vote in the election.''.

SEC. 1024. CLARIFICATION OF REQUIREMENT REGARDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.

Section 8 of the National Voter Registration Act of 1993 (52 U.S.C. 20507) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following new subsection:

''(j) REQUIREMENT FOR STATE TO REGISTER APPLICANTS PROVIDING NECESSARY INFORMATION TO SHOW ELIGIBILITY TO VOTE.—For purposes meeting the requirement of subsection (a)(1) that an eligible applicant is registered to vote in an election for Federal office within the deadlines required under such subsection, the State shall consider an applicant to have provided a 'valid voter registration form' if—

''(1) the applicant has substantially completed the application form and attested to the statement required by section 9(b)(2); and

''(2) in the case of an applicant who registers to vote online in accordance with section 6A, the applicant provides a signature in accordance with subsection (c) of such section.''.

SEC. 1025. PROHIBITING STATE FROM REQUIRING APPLICANTS TO PROVIDE MORE THAN LAST 4 DIGITS OF SOCIAL SECURITY NUMBER.

(a) FORM INCLUDED WITH APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE.—Section 5(c)(2)(B)(ii) of the National Voter Registration Act of 1993 (52 U.S.C. 20504(c)(2)(B)(ii)) is amended by striking the semicolon at the end and inserting the following: '', and to the extent that the application requires the applicant to provide a Social Security number, may not require the applicant to provide more than the last 4 digits of such number;''.

(b) NATIONAL MAIL VOTER REGISTRATION FORM.—Section 9(b)(1) of such Act (52 U.S.C. 20508(b)(1)) is amended by striking the semicolon at the end and inserting the following: '', and to the extent that the form requires the applicant to provide a Social Security

number, the form may not require the applicant to provide more than the last 4 digits of such number;''.

SEC. 1026. APPLICATION OF RULES TO CERTAIN EXEMPT STATES.

Section 4 of the National Voter Registration Act of 1993 (52 U.S.C. 20503) is amended by adding at the end the following new subsection:

''(c) APPLICATION OF INTERNET VOTER REGISTRATION RULES.—Notwithstanding subsection (b), the following provisions shall apply to a State described in paragraph (2) thereof:

''(1) Section 6A (as added by section 1021(a) of the Voter Registration Modernization Act of 2024).

''(2) Section 8(a)(1)(E) (as added by section 1021(c)(1) of the Voter Registration Modernization Act of 2024).

''(3) Section 8(a)(5) (as amended by section 1021(c)(2) of Voter Registration Modernization Act of 2024), but only to the extent such provision relates to section 6A.

''(4) Section 8(j) (as added by section 1024 of the Voter Registration Modernization Act of 2024), but only to the extent such provision relates to section 6A.''.

SEC. 1027. REPORT ON DATA COLLECTION RELATING TO ONLINE VOTER REGISTRATION SYSTEMS.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on local, State, and Federal personally identifiable information data collections efforts related to online voter registration systems, the cyber security resources necessary to defend such efforts from online attacks, and the impact of a potential data breach of local, State, or Federal online voter registration systems.

SEC. 1028. PERMITTING VOTER REGISTRATION APPLICATION FORM TO SERVE AS APPLICATION FOR ABSENTEE BALLOT.

Section 5(c) of the National Voter Registration Act of 1993 (52 U.S.C. 20504(c)) is amended—

(1) in paragraph (2)—

(A) by striking ''and'' at the end of subparagraph (D);

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

(C) by adding at the end the following new subparagraph:

''(F) at the option of the applicant, shall serve as an application to vote by absentee ballot in the next election for Federal office held in the State and in each subsequent election for Federal office held in the State.''; and

(2) by adding at the end the following new paragraph:

''(3)(A) In the case of an individual who is treated as having applied for an absentee ballot in the next election for Federal office held in the State and in each subsequent election for Federal office held in the State under paragraph (2)(F), such treatment shall remain effective until the earlier of such time as—

''(i) the individual is no longer registered to vote in the State; or

''(ii) the individual provides an affirmative written notice revoking such treatment.

''(B) The treatment of an individual as having applied for an absentee ballot in the next election for Federal office held in the State and in each subsequent election for Federal office held in the State under paragraph (2)(F) shall not be revoked on the basis that the individual has not voted in an election''.

SEC. 1029. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this part (other than the amendments made by section 1024) shall apply with respect to the regularly scheduled general election for Federal office held in November 2026 and each succeeding election for Federal office.

(b) WAIVER.—If a State certifies to the Election Assistance Commission not later than 180 days after the date of enactment of this Act that the State will not meet the deadline described in subsection (a) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subsection (a) shall apply to the State as if the reference in such subsection to ''the regularly scheduled general election for Federal office held in November 2026'' were a reference to ''January 1, 2028''.

PART 4—SAME DAY VOTER REGISTRATION

SEC. 1031. SAME DAY REGISTRATION.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

(1) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(2) by inserting after section 303 the following new section:

''SEC. 304. SAME DAY REGISTRATION.

''(a) IN GENERAL.—

''(1) REGISTRATION.—Each State shall permit any eligible individual on the day of a Federal election and on any day when voting, including early voting, is permitted for a Federal election—

''(A) to register to vote in such election at the polling place using a form that meets the requirements under section 9(b) of the National Voter Registration Act of 1993 (or, if the individual is already registered to vote, to revise any of the individual's voter registration information); and

''(B) to cast a vote in such election.

''(2) EXCEPTION.—The requirements under paragraph (1) shall not apply to a State in which, under a State law in effect continuously on and after the date of enactment of this section, there is no voter registration requirement for individuals in the State with respect to elections for Federal office.

''(b) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means, with respect to any election for Federal office, an individual who is otherwise qualified to vote in that election.

''(c) ENSURING AVAILABILITY OF FORMS.—The State shall ensure that each polling place has copies of any forms an individual may be required to complete in order to register to vote or revise the individual's voter registration information under this section.

''(d) EFFECTIVE DATE.—

''(1) IN GENERAL.—Subject to paragraph (2), each State shall be required to comply with the requirements of this section for the regularly scheduled general election for Federal office occurring in November 2026 and for any subsequent election for Federal office.

''(2) SPECIAL RULES FOR ELECTIONS BEFORE NOVEMBER 2028.—

''(A) ELECTIONS PRIOR TO NOVEMBER 2028 GENERAL ELECTION.—A State shall be deemed to be in compliance with the requirements of this section for the regularly scheduled general election for Federal office occurring in November 2026 and subsequent elections for Federal office occurring before the regularly scheduled general election for Federal office in November 2028 if at least 1 location for each 15,000 registered voters in each jurisdiction in the State meets such requirements, and such location is reasonably located to serve voting populations equitably across the jurisdiction.

''(B) NOVEMBER 2028 GENERAL ELECTION.—If a State certifies to the Election Assistance Commission not later than November 7, 2028, that the State will not be in compliance with the requirements of this section for the regularly scheduled general election for Federal office occurring in November 2028 because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such requirements, the State shall be deemed to be in compliance with the requirements of this section for such election if at least one location for each 15,000 registered voters in each jurisdiction in the State meets such requirements, and such location is reasonably located to serve voting populations equitably across the jurisdiction.''.

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''sections 301, 302, and 303'' and inserting ''subtitle A of title III''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act is amended—

(1) by redesignating the items relating to sections 304 and 305 as relating to sections 305 and 306, respectively; and

(2) by inserting after the item relating to section 303 the following new item:

''Sec. 304. Same day registration.''.

SEC. 1032. ENSURING PRE-ELECTION REGISTRATION DEADLINES ARE CONSISTENT WITH TIMING OF LEGAL PUBLIC HOLIDAYS.

(a) IN GENERAL.—Section 8(a)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20507(a)(1)) is amended by striking ''30 days'' each place it appears and inserting ''28 days''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections held in 2026 or any succeeding year.

PART 5—STREAMLINE VOTER REGISTRATION INFORMATION, ACCESS, AND PRIVACY

SEC. 1041. AUTHORIZING THE DISSEMINATION OF VOTER REGISTRATION INFORMATION DISPLAYS FOLLOWING NATURALIZATION CEREMONIES.

(a) AUTHORIZATION.—The Secretary of Homeland Security shall establish a process for authorizing the chief State election official of a State to disseminate voter registration information at the conclusion of any naturalization ceremony conducted by the Department of Homeland Security, its constituent agencies, or the Federal judiciary.

(b) NO EFFECT ON OTHER AUTHORITY.—Nothing in this section shall be construed to imply that a Federal agency cannot provide voter registration services beyond those minimally required herein, or to imply that agencies not named may not distribute voter registration information or provide voter registration services up to the limits of their statutory and funding authority.

(c) DESIGNATED VOTER REGISTRATION AGENCIES.—In any State or other location in which a Federal agency is designated as a voter registration agency under section 7(a)(3)(B)(ii) of the National Voter Registration Act, the voter registration responsibilities incurred through such designation shall supersede the requirements described in this section.

SEC. 1042. INCLUSION OF VOTER REGISTRATION INFORMATION WITH CERTAIN LEASES AND VOUCHERS FOR FEDERALLY ASSISTED RENTAL HOUSING AND MORTGAGE APPLICATIONS.

(a) DEFINITIONS.—In this section:

(1) BUREAU.—The term ''Bureau'' means the Bureau of Consumer Financial Protection.

(2) DIRECTOR.—The term ''Director'' means the Director of the Bureau.

(3) FEDERAL RENTAL ASSISTANCE.—The term ''Federal rental assistance'' means rental assistance provided under—

(A) any covered housing program, as defined in section 41411(a) of the Violence

Against Women Act of 1994 (34 U.S.C. 12491(a));

(B) title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.), including voucher assistance under section 542 of such title (42 U.S.C. 1490r);

(C) the Housing Trust Fund program under section 1338 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4588); or

(D) subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381 et seq.).

(4) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term ''federally backed multifamily mortgage loan'' includes any loan (other than temporary financing such as a construction loan) that—

(A) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to prepay or pay off an existing loan secured by the same property; and

(B) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with a housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(5) OWNER.—The term ''owner'' has the meaning given the term in section 8(f) of the United States Housing Act of 1937 (42 U.S.C. 1437f(f)).

(6) PUBLIC HOUSING; PUBLIC HOUSING AGENCY.—The terms ''public housing'' and ''public housing agency'' have the meanings given those terms in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

(7) RESIDENTIAL MORTGAGE LOAN.—The term ''residential mortgage loan'' includes any loan that is secured by a first or subordinate lien on residential real property, including individual units of condominiums and cooperatives, designed principally for the occupancy of from 1- to 4- families.

(b) UNIFORM STATEMENT.—

(1) DEVELOPMENT.—The Director, after consultation with the Election Assistance Commission, shall develop a uniform statement designed to provide recipients of the statement pursuant to this section with information on how the recipient can register to vote and the voting rights of the recipient under law.

(2) RESPONSIBILITIES.—In developing the uniform statement, the Director shall be responsible for—

(A) establishing the format of the statement;

(B) consumer research and testing of the statement; and

(C) consulting with and obtaining from the Election Assistance Commission the content regarding voter rights and registration issues needed to ensure the statement complies with the requirements of paragraph (1).

(3) LANGUAGES.—

(A) IN GENERAL.—The uniform statement required under paragraph (1) shall be developed and made available in English and in each of the 10 languages most commonly spoken by individuals with limited English proficiency, as determined by the Director using information published by the Director of the Bureau of the Census.

(B) PUBLICATION.—The Director shall make all translated versions of the uniform statement required under paragraph (1) publicly available in a centralized location on the website of the Bureau.

(c) LEASES AND VOUCHERS FOR FEDERALLY ASSISTED RENTAL HOUSING.—Each Federal agency administering a Federal rental assistance program shall require—

(1) each public housing agency to provide a copy of the uniform statement developed pursuant to subsection (b) to each lessee of a dwelling unit in public housing administered by the agency—

(A) together with the lease for the dwelling unit, at the same time the lease is signed by the lessee; and

(B) together with any income verification form, at the same time the form is provided to the lessee;

(2) each public housing agency that administers rental assistance under the Housing Choice Voucher program under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), including the program under paragraph (13) of such section 8(o), to provide a copy of the uniform statement developed pursuant to subsection (b) to each assisted family or individual—

(A) together with the voucher for the assistance, at the time the voucher is issued for the family or individual; and

(B) together with any income verification form, at the time the voucher is provided to the applicant or assisted family or individual; and

(3) each owner of a dwelling unit assisted with Federal rental assistance to provide a copy of the uniform statement developed pursuant to subsection (b) to the lessee of the dwelling unit—

(A) together with the lease for such dwelling unit, at the same time the lease is signed by the lessee; and

(B) together with any income verification form, at the same time the form is provided to the applicant or tenant.

(d) APPLICATIONS FOR RESIDENTIAL MORTGAGE LOANS.—The Director shall require each creditor (within the meaning of such term as used in section 1026.2(a)(17) of title 12, Code of Federal Regulations) that receives an application (within the meaning of such term as used in section 1026.2(a)(3)(ii) of title 12, Code of Federal Regulations) to provide a copy of the uniform statement developed pursuant to subsection (b) in written form to the applicant for the residential mortgage loan not later than 5 business days after the date of the application.

(e) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOANS.—The head of the Federal agency insuring, guaranteeing, supplementing, or assisting a federally backed multifamily mortgage loan, or the Director of the Federal Housing Finance Agency in the case of a federally backed multifamily mortgage loan that is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association, shall require the owner of the property secured by the federally backed multifamily mortgage loan to provide a copy of the uniform statement developed pursuant to subsection (b) in written form to each lessee of a dwelling unit assisted by that loan at the time the lease is signed by the lessee.

(f) OPTIONAL COMPLETION OF VOTER REGISTRATION.—Nothing in this section may be construed to require any individual to complete a voter registration form.

(g) REGULATIONS.—The head of a Federal agency administering a Federal rental assistance program, the head of the Federal agency insuring, guaranteeing, supplementing, or assisting a federally backed multifamily mortgage loan, the Director of the Federal Housing Finance Agency, and the Director may issue such regulations as may be necessary to carry out this section.

(h) NO EFFECT ON OTHER AUTHORITY.—Nothing in this section shall be construed to imply that a Federal agency cannot provide voter registration services beyond those minimally required herein, or to imply that agencies not named may not distribute voter registration information or provide voter registration services up to the limits of their statutory and funding authority.

(i) DESIGNATED VOTER REGISTRATION AGENCIES.—In any State or other location in which a Federal agency is designated as a voter registration agency under section 7(a)(3)(B)(ii) of the National Voter Registration Act, the voter registration responsibilities incurred through such designation shall supersede the requirements described in this section.

SEC. 1043. ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS FROM INDIVIDUALS UNDER 18 YEARS OF AGE.

(a) ACCEPTANCE OF APPLICATIONS.—Section 8 of the National Voter Registration Act of 1993 (52 U.S.C. 20507), as amended by section 1024, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following new subsection:

''(k) ACCEPTANCE OF APPLICATIONS FROM INDIVIDUALS UNDER 18 YEARS OF AGE.—

''(1) IN GENERAL.—A State may not refuse to accept or process an individual's application to register to vote in elections for Federal office on the grounds that the individual is under 18 years of age at the time the individual submits the application, so long as the individual is at least 16 years of age at such time.

''(2) NO EFFECT ON STATE VOTING AGE REQUIREMENTS.—Nothing in paragraph (1) may be construed to require a State to permit an individual who is under 18 years of age at the time of an election for Federal office to vote in the election.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring on or after January 1, 2026.

SEC. 1044. REQUIRING STATES TO ESTABLISH AND OPERATE VOTER PRIVACY PROGRAMS.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), is amended—

(1) by redesignating sections 305 and 306 as sections 306 and 307, respectively; and

(2) by inserting after section 304 the following new section:

''SEC. 305. VOTER PRIVACY PROGRAMS.

''(a) IN GENERAL.—Each State shall establish and operate a privacy program to enable victims of domestic violence, dating violence, stalking, sexual assault, and trafficking to have personally identifiable information that State or local election officials maintain with respect to an individual voter registration status for purposes of elections for Federal office in the State, including addresses, be kept confidential.

''(b) NOTICE.—Each State shall notify residents of that State of the information that State and local election officials maintain with respect to an individual voter registration status for purposes of elections for Federal office in the State, how that information is shared or sold and with whom, what information is automatically kept confidential, what information is needed to access voter information online, and the privacy programs that are available.

''(c) PUBLIC AVAILABILITY.—Each State shall make information about the program established under subsection (a) available on a publicly accessible website.

''(d) DEFINITIONS.—In this section:

''(1) The terms 'dating violence', 'domestic violence', 'sexual assault', and 'stalking' have the meanings given those terms in section 40002 of the Violence Against Women Act of 1994 (34 U.S.C. 12291).

''(2) The term 'trafficking' means an act or practice described in paragraph (11) or (12) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(e) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2027.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), is amended—

(1) by redesignating the items relating to sections 305 and 306 as relating to sections 306 and 307, respectively; and

(2) by inserting after the item relating to section 304 the following new item:

''Sec. 305. Voter privacy programs.''.

PART 6—FUNDING SUPPORT TO STATES FOR COMPLIANCE

SEC. 1051. AVAILABILITY OF REQUIREMENTS PAYMENTS UNDER HAVA TO COVER COSTS OF COMPLIANCE WITH NEW REQUIREMENTS.

(a) IN GENERAL.—Section 251(b) of the Help America Vote Act of 2002 (52 U.S.C. 21001(b)) is amended—

(1) in paragraph (1), by striking ''as provided in paragraphs (2) and (3)'' and inserting ''as otherwise provided in this subsection''; and

(2) by adding at the end the following new paragraph:

''(4) CERTAIN VOTER REGISTRATION ACTIVITIES.—Notwithstanding paragraph (3), a State may use a requirements payment to carry out any of the requirements of the Voter Registration Modernization Act of 2024, including the requirements of the National Voter Registration Act of 1993 that are imposed pursuant to the amendments made to such Act by the Voter Registration Modernization Act of 2024.''.

(b) CONFORMING AMENDMENT.—Section 254(a)(1) of such Act (52 U.S.C. 21004(a)(1)) is amended by striking ''section 251(a)(2)'' and inserting ''section 251(b)(2)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2026 and each succeeding fiscal year.

Subtitle B—Access to Voting for Individuals With Disabilities

SEC. 1101. REQUIREMENTS FOR STATES TO PROMOTE ACCESS TO VOTER REGISTRATION AND VOTING FOR INDIVIDUALS WITH DISABILITIES.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a) and section 1044(a), is amended—

(1) by redesignating sections 306 and 307 as sections 307 and 308, respectively; and

(2) by inserting after section 305 the following new section:

''SEC. 306. ACCESS TO VOTER REGISTRATION AND VOTING FOR INDIVIDUALS WITH DISABILITIES.

''(a) TREATMENT OF APPLICATIONS AND BALLOTS.—Each State shall—

''(1) ensure that absentee registration forms, absentee ballot applications, and absentee ballots that are available electronically are accessible (as defined in section 307);

''(2) permit individuals with disabilities to use absentee registration procedures and to vote by absentee ballot in elections for Federal office;

''(3) accept and process, with respect to any election for Federal office, any otherwise valid voter registration application and absentee ballot application from an individual with a disability if the application is received by the appropriate State election official within the deadline for the election which is applicable under Federal law;

''(4) in addition to any other method of registering to vote or applying for an absentee ballot in the State, establish procedures—

''(A) for individuals with disabilities to request by mail and electronically voter registration applications and absentee ballot applications with respect to elections for Federal office in accordance with subsection (c);

''(B) for States to send by mail and electronically (in accordance with the preferred method of transmission designated by the individual under subparagraph (C)) voter registration applications and absentee ballot applications requested under subparagraph (A) in accordance with subsection (c)); and

''(C) by which such an individual can designate whether the individual prefers that such voter registration application or absentee ballot application be transmitted by mail or electronically;

''(5) in addition to any other method of transmitting blank absentee ballots in the State, establish procedures for transmitting by mail and electronically blank absentee ballots to individuals with disabilities with respect to elections for Federal office in accordance with subsection (d); and

''(6) if the State declares or otherwise holds a runoff election for Federal office, establish a written plan that provides absentee ballots are made available to individuals with disabilities in a manner that gives them sufficient time to vote in the runoff election.

''(b) DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR VOTERS WITH DISABILITIES IN STATE.—

''(1) IN GENERAL.—Each State shall designate a single office that shall be responsible for providing information regarding voter registration procedures, absentee ballot procedures, and in-person voting procedures to be used by individuals with disabilities with respect to elections for Federal office to all individuals with disabilities who wish to register to vote or vote in any jurisdiction in the State.

''(2) RESPONSIBILITIES.—Each State shall, through the office designated under paragraph (1)—

''(A) provide information to election officials—

''(i) on how to set up and operate accessible voting systems; and

''(ii) regarding the accessibility of voting procedures, including guidance on compatibility with assistive technologies such as screen readers and ballot marking devices;

''(B) integrate information on accessibility, accommodations, disability, and older individuals into regular training materials for poll workers and election administration officials;

''(C) train poll workers on how to make polling places accessible for individuals with disabilities and older individuals;

''(D) promote the hiring of individuals with disabilities and older individuals as poll workers and election staff; and

''(E) publicly post the results of any audits to determine the accessibility of polling places not later than 6 months after the completion of the audit.

''(c) DESIGNATION OF MEANS OF ELECTRONIC COMMUNICATION FOR INDIVIDUALS WITH DISABILITIES TO REQUEST AND FOR STATES TO SEND VOTER REGISTRATION APPLICATIONS AND ABSENTEE BALLOT APPLICATIONS, AND FOR OTHER PURPOSES RELATED TO VOTING INFORMATION.—

''(1) IN GENERAL.—Each State shall, in addition to the designation of a single State office under subsection (b), designate not less than 1 means of accessible electronic communication—

''(A) for use by individuals with disabilities who wish to register to vote or vote in any jurisdiction in the State to request voter registration applications and absentee ballot applications under subsection (a)(4);

''(B) for use by States to send voter registration applications and absentee ballot applications requested under such subsection; and

''(C) for the purpose of providing related voting, balloting, and election information to individuals with disabilities.

''(2) CLARIFICATION REGARDING PROVISION OF MULTIPLE MEANS OF ELECTRONIC COMMUNICATION.—A State may, in addition to the means of electronic communication so designated, provide multiple means of electronic communication to individuals with disabilities, including a means of electronic communication for the appropriate jurisdiction of the State.

''(3) INCLUSION OF DESIGNATED MEANS OF ELECTRONIC COMMUNICATION WITH INFORMATIONAL AND INSTRUCTIONAL MATERIALS THAT ACCOMPANY BALLOTING MATERIALS.—Each State shall include a means of electronic communication so designated with all informational and instructional materials that accompany balloting materials sent by the State to individuals with disabilities.

''(4) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case in which an individual with a disability does not designate a preference under subsection (a)(4)(C), the State shall transmit the voter registration application or absentee ballot application by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(d) TRANSMISSION OF BLANK ABSENTEE BALLOTS BY MAIL AND ELECTRONICALLY.—

''(1) IN GENERAL.—Each State shall establish procedures—

''(A) to securely transmit blank absentee ballots by mail and electronically (in accordance with the preferred method of transmission designated by the individual with a disability under subparagraph (B)) to individuals with disabilities for an election for Federal office; and

''(B) by which the individual with a disability can designate whether the individual prefers that such blank absentee ballot be transmitted by mail or electronically.

''(2) TRANSMISSION IF NO PREFERENCE INDICATED.—In the case where an individual with a disability does not designate a preference under paragraph (1)(B), the State shall transmit the ballot by any delivery method allowable in accordance with applicable State law, or if there is no applicable State law, by mail.

''(3) APPLICATION OF METHODS TO TRACK DELIVERY TO AND RETURN OF BALLOT BY INDIVIDUAL REQUESTING BALLOT.—Under the procedures established under paragraph (1), the State shall apply such methods as the State considers appropriate, such as assigning a unique identifier to the ballot envelope, to ensure that if an individual with a disability requests the State to transmit a blank absentee ballot to the individual in accordance with this subsection, the voted absentee ballot that is returned by the individual is the same blank absentee ballot that the State transmitted to the individual.

''(e) INDIVIDUAL WITH A DISABILITY DEFINED.—In this section, an 'individual with a disability' means an individual with an impairment that substantially limits any major life activities and who is otherwise qualified to vote in elections for Federal office.

''(f) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office held on or after January 1, 2026.''.

(b) CONFORMING AMENDMENT RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—

(1) TIMING OF ISSUANCE.—Section 311(b) of such Act (52 U.S.C. 21101(b)) is amended—

(A) by striking ''and'' at the end of paragraph (2);

(B) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) in the case of the recommendations with respect to section 306, January 1, 2026.''.

(2) REDESIGNATION.—

(A) IN GENERAL.—Title III of such Act (52 U.S.C. 21081 et seq.) is amended by redesignating sections 311 and 312 as sections 321 and 322, respectively.

(B) CONFORMING AMENDMENT.—Section 321(a) of such Act, as redesignated by subparagraph (A), is amended by striking ''section 312'' and inserting ''section 322''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c) and section 1044(b), is amended—

(1) by redesignating the items relating to sections 306 and 307 as relating to sections 307 and 308, respectively; and

(2) by inserting after the item relating to section 305 the following new item:

''Sec. 306. Access to voter registration and voting for individuals with disabilities.''.

SEC. 1102. ESTABLISHMENT AND MAINTENANCE OF STATE ACCESSIBLE ELECTION WEBSITES.

(a) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), and section 1101(a), is amended—

(1) by redesignating sections 307 and 308 as sections 308 and 309, respectively; and

(2) by inserting after section 306 the following:

''SEC. 307. ESTABLISHMENT AND MAINTENANCE OF ACCESSIBLE ELECTION WEBSITES.

''(a) IN GENERAL.—Not later than January 1, 2027, each State shall establish a single election website that is accessible and meets the following requirements:

''(1) LOCAL ELECTION OFFICIALS.—The website shall provide local election officials, poll workers, and volunteers with—

''(A) guidance to ensure that polling places are accessible for individuals with disabilities and older individuals in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters; and

''(B) online training and resources on—

''(i) how best to promote the access and participation of individuals with disabilities and older individuals in elections for public office; and

''(ii) the voting rights and protections for individuals with disabilities and older individuals under State and Federal law.

''(2) VOTERS.—The website shall provide information about voting, including—

''(A) the accessibility of all polling places within the State, including outreach programs to inform individuals about the availability of accessible polling places;

''(B) how to register to vote and confirm voter registration in the State;

''(C) the location and operating hours of all polling places in the State;

''(D) the availability of aid or assistance for individuals with disabilities and older individuals to cast their vote in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters at polling places;

''(E) the availability of transportation aid or assistance to the polling place for individuals with disabilities or older individuals;

''(F) the rights and protections under State and Federal law for individuals with disabilities and older individuals to participate in elections; and

''(G) how to contact State, local, and Federal officials with complaints or grievances if individuals with disabilities, older individuals, Native Americans, Alaska Natives, and individuals with limited proficiency in the English language feel their ability to register to vote or vote has been blocked or delayed.

''(b) PARTNERSHIP WITH OUTSIDE TECHNICAL ORGANIZATION.—The chief State election official of each State, through the committee of appropriate individuals under subsection (c)(2), shall partner with an outside technical organization with demonstrated experience in establishing accessible and easy to use accessible election websites to—

''(1) update an existing election website of the State to make the website fully accessible in accordance with this section; or

''(2) develop an election website of the State that is fully accessible in accordance with this section.

''(c) STATE PLAN.—

''(1) DEVELOPMENT.—The chief State election official of each State shall, through a committee of appropriate individuals as described in paragraph (2), develop a State plan that describes how the State and local governments will meet the requirements under this section.

''(2) COMMITTEE MEMBERSHIP.—The committee shall comprise at least the following individuals:

''(A) The chief election officials of the 4 most populous jurisdictions within the State.

''(B) The chief election officials of the 4 least populous jurisdictions within the State.

''(C) Representatives from 2 disability advocacy groups, including not fewer than 1 such representative who is an individual with a disability.

''(D) Representatives from 2 older individual advocacy groups, including not fewer than 1 such representative who is an older individual.

''(E) Representatives from 2 independent non-governmental organizations with expertise in establishing and maintaining accessible websites.

''(F) Representatives from 2 independent non-governmental voting rights organizations.

''(G) Representatives from State protection and advocacy systems, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

''(d) PARTNERSHIP TO MONITOR AND VERIFY ACCESSIBILITY.—The chief State election official of each eligible State, through the committee of appropriate individuals established under subsection (c)(2), shall partner with not fewer than 2 of the following organizations to monitor and verify the accessibility of the election website of the State and the completeness of the election information and the accuracy of the disability information provided on such website:

''(1) University Centers for Excellence in Developmental Disabilities Education, Research, and Services established under subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15061 et seq.).

''(2) Centers for independent living, as described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.).

''(3) The State Council on Developmental Disabilities established under section 125 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15025).

''(4) State protection and advocacy systems, as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002).

''(5) Statewide Independent Living Councils established under section 705 of the Rehabilitation Act of 1973 (29 U.S.C. 796d).

''(6) State programs established under the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.).

''(7) A visual access advocacy organization.

''(8) An organization for the deaf.

''(9) A mental health organization.

''(e) DEFINITIONS.—For purposes of this section, section 305, and section 307:

''(1) ACCESSIBLE.—The term 'accessible' means—

''(A) in the case of the election website under subsection (a) or an electronic communication under section 305—

''(i) that the functions and content of the website or electronic communication, including all text, visual, and aural content, are as accessible to people with disabilities as to those without disabilities;

''(ii) that the functions and content of the website or electronic communication are accessible to individuals with limited proficiency in the English language; and

''(iii) that the website or electronic communication meets, at a minimum, conformance to Level AA of the Web Content Accessibility Guidelines 2.0 of the Web Accessibility Initiative (or any successor guidelines); and

''(B) in the case of a facility (including a polling place), that the facility is readily accessible to and usable by individuals with disabilities and older individuals, as determined under the 2010 ADA Standards for Accessible Design of the Department of Justice, published on September 15, 2010 (or any successor standards).

''(2) INDIVIDUAL WITH A DISABILITY.—The term 'individual with a disability' means an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), and who is otherwise qualified to vote in elections for Federal office.

''(3) OLDER INDIVIDUAL.—The term 'older individual' means an individual who is 60 years of age or older and who is otherwise qualified to vote in elections for Federal office.''.

(b) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b), is amended by striking ''section 306'' and inserting ''sections 306 and 307''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), and section 1101(c), is amended—

(1) by redesignating the items relating to sections 307 and 308 as relating to sections 308 and 309, respectively; and

(2) by inserting after the item relating to section 306 the following new item:

''Sec. 307. Establishment and maintenance of accessible election websites.''.

SEC. 1103. PROTECTIONS FOR IN-PERSON VOTING FOR INDIVIDUALS WITH DISABILITIES AND OLDER INDIVIDUALS.

(a) REQUIREMENT.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), and section 1102(a), is amended—

(A) by redesignating sections 308 and 309 as sections 309 and 310, respectively; and

(B) by inserting after section 307 the following:

"SEC. 308. ACCESS TO VOTING FOR INDIVIDUALS WITH DISABILITIES AND OLDER INDIVIDUALS.

''(a) IN GENERAL.—Each State shall—

''(1) ensure all polling places within the State are accessible, as defined in section 306;

''(2) consider procedures to address long wait times at polling places that allow individuals with disabilities and older individuals alternate options to cast a ballot in person in an election for Federal office, such as the option to cast a ballot outside of the polling place or from a vehicle, or providing an expedited voting line; and

''(3) consider options to establish mobile polling sites to allow election officials or volunteers to travel to long-term care facilities and assist residents who request assistance in casting a ballot in order to maintain the privacy and independence of voters in those facilities.

''(b) CLARIFICATION.—Nothing in this section shall be construed to alter the requirements under Federal law that all polling places for Federal elections are accessible to individuals with disabilities and older individuals.

''(c) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office held on or after January 1, 2028.''.

(2) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by section 1102(b), is amended by striking ''and 307'' and inserting '', 307, and 308''.

(3) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), and section 1102(c), is amended—

(A) by redesignating the items relating to sections 308 and 309 as relating to sections 309 and 310, respectively; and

(B) by inserting after the item relating to section 307 the following new item:

''Sec. 308. Access to voting for individuals with disabilities and older individuals.''.

(b) REVISIONS TO VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED ACT.—

(1) REPORTS TO ELECTION ASSISTANCE COMMISSION.—Section 3(c) of the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20102(c)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ELECTION COMMISSION'' and inserting ''ELECTION ASSISTANCE COMMISSION'';

(B) in each of paragraphs (1) and (2), by striking ''Federal Election Commission'' and inserting ''Election Assistance Commission''; and

(C) by striking paragraph (3).

(2) CONFORMING AMENDMENTS RELATING TO REFERENCES.—The Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20101 et seq.), as amended by paragraph (1), is amended—

(A) by striking ''handicapped and elderly individuals'' each place it appears and inserting ''individuals with disabilities and older individuals'';

(B) by striking ''handicapped and elderly voters'' each place it appears and inserting ''individuals with disabilities and older individuals'';

(C) in section 3(b)(2)(B), by striking ''handicapped or elderly voter'' and inserting ''individual with a disability or older individual'';

(D) in section 5(b), by striking ''handicapped voter'' and inserting ''individual with a disability''; and

(E) in section 8—

(i) by striking paragraphs (1) and (2) and inserting the following:

''(1) 'accessible' has the meaning given that term in section 307 of the Help America Vote Act of 2002, as added by section 1102(a) of the Freedom to Vote Act;

''(2) 'older individual' has the meaning given that term in such section 307;''; and

(ii) by striking paragraph (4), and inserting the following:

''(4) 'individual with a disability' has the meaning given that term in such section 306; and''.

(3) SHORT TITLE AMENDMENT.—

(A) IN GENERAL.—Section 1 of the Voting Accessibility for the Elderly and Handicapped Act (Public Law 98–435; 42 U.S.C. 1973ee note) is amended by striking ''for the Elderly and Handicapped'' and inserting ''for Individuals with Disabilities and Older Individuals''.

(B) REFERENCES.—Any reference in any other provision of law, regulation, document, paper, or other record of the United States to the ''Voting Accessibility for the Elderly and Handicapped Act'' shall be deemed to be a reference to the ''Voting Accessibility for Individuals with Disabilities and Older Individuals Act''.

(4) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on January 1, 2028, and shall apply with respect to elections for Federal office held on or after that date.

SEC. 1104. PROTECTIONS FOR INDIVIDUALS SUBJECT TO GUARDIANSHIP.

(a) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), and section 1103(a)(1), is amended—

(1) by redesignating sections 309 and 310 as sections 310 and 311, respectively; and

(2) by inserting after section 308 the following:

"SEC. 309. PROTECTIONS FOR INDIVIDUALS SUBJECT TO GUARDIANSHIP.

''(a) IN GENERAL.—A State shall not determine that an individual lacks the capacity to vote in an election for Federal office on the ground that the individual is subject to guardianship, unless a court of competent jurisdiction issues a court order finding by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process.

''(b) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office held on or after January 1, 2026.''.

(b) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102 and 1103, is amended by striking ''and 308'' and inserting ''308, and 309''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), and section 1103(a)(3), is amended—

(1) by redesignating the items relating to sections 309 and 310 as relating to sections 310 and 311, respectively; and

(2) by inserting after the item relating to section 308 the following new item:

''Sec. 309. Protections for individuals subject to guardianship.''.

SEC. 1105. EXPANSION AND REAUTHORIZATION OF GRANT PROGRAM TO ASSURE VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES.

(a) PURPOSES OF PAYMENTS.—Section 261(b) of the Help America Vote Act of 2002 (52 U.S.C. 21021(b)) is amended by striking paragraphs (1) and (2) and inserting the following:

''(1) making absentee voting and voting at home accessible to individuals with the full range of disabilities (including impairments involving vision, hearing, mobility, or dexterity) through the implementation of accessible absentee voting systems that work in conjunction with assistive technologies for which individuals have access at their homes, independent living centers, or other facilities;

''(2) making polling places, including the path of travel, entrances, exits, and voting areas of each polling facility, accessible to individuals with disabilities, including the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters; and

''(3) providing solutions to problems of access to voting and elections for individuals with disabilities that are universally designed and provide the same opportunities for individuals with and without disabilities.''.

(b) REAUTHORIZATION.—Section 264(a) of such Act (52 U.S.C. 21024(a)) is amended by adding at the end the following new paragraph:

''(4) For fiscal year 2026 and each succeeding fiscal year, such sums as may be necessary to carry out this part.''.

(c) PERIOD OF AVAILABILITY OF FUNDS.—Section 264 of such Act (52 U.S.C. 21024) is amended—

(1) in subsection (b), by striking ''Any amounts'' and inserting ''Except as provided in subsection (c), any amounts''; and

(2) by adding at the end the following new subsection:

''(c) RETURN AND TRANSFER OF CERTAIN FUNDS.—

''(1) DEADLINE FOR OBLIGATION AND EXPENDITURE.—In the case of any amounts appropriated pursuant to the authority of subsection (a) for a payment to a State or unit of local government for fiscal year 2026 or any succeeding fiscal year, any portion of such amounts which have not been obligated or expended by the State or unit of local government prior to the expiration of the 4-year period that begins on the date the State or unit of local government first received the amounts shall be transferred to the Commission.

''(2) REALLOCATION OF TRANSFERRED AMOUNTS.—

''(A) IN GENERAL.—The Commission shall use the amounts transferred under paragraph (1) to make payments on a pro rata basis to each covered payment recipient described in subparagraph (B), which may obligate and expend such payment for the purposes described in section 261(b) during the 1-year period which begins on the date of receipt.

''(B) COVERED PAYMENT RECIPIENTS DESCRIBED.—In subparagraph (A), a 'covered payment recipient' is a State or unit of local government with respect to which—

''(i) amounts were appropriated pursuant to the authority of subsection (a); and

''(ii) no amounts were transferred to the Commission under paragraph (1).''.

SEC. 1106. PILOT PROGRAMS FOR ENABLING INDIVIDUALS WITH DISABILITIES TO REGISTER TO VOTE PRIVATELY AND INDEPENDENTLY AT RESIDENCES.

(a) ESTABLISHMENT OF PILOT PROGRAMS.—The Election Assistance Commission (hereafter referred to as the ''Commission'') shall, subject to the availability of appropriations to carry out this section, make grants to eligible States to conduct pilot programs under which individuals with disabilities may use electronic means (including the internet and telephones utilizing assistive devices) to register to vote and to request and receive absentee ballots in a manner which permits such individuals to do so privately and independently at their own residences.

(b) REPORTS.—

(1) IN GENERAL.—A State receiving a grant for a year under this section shall submit a

report to the Commission on the pilot programs the State carried out with the grant with respect to elections for public office held in the State during the year.

(2) DEADLINE.—A State shall submit a report under paragraph (1) not later than 90 days after the last election for public office held in the State during the year.

(c) ELIGIBILITY.—A State is eligible to receive a grant under this section if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing such information and assurances as the Commission may require.

(d) TIMING.—The Commission shall make the first grants under this section for pilot programs which will be in effect with respect to elections for Federal office held in 2026, or, at the option of a State, with respect to other elections for public office held in the State in 2026.

(e) STATE DEFINED.—In this section, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 1107. GAO ANALYSIS AND REPORT ON VOTING ACCESS FOR INDIVIDUALS WITH DISABILITIES.

(a) ANALYSIS.—The Comptroller General of the United States shall conduct an analysis after each regularly scheduled general election for Federal office with respect to the following:

(1) In relation to polling places located in houses of worship or other facilities that may be exempt from accessibility requirements under the Americans with Disabilities Act—

(A) efforts to overcome accessibility challenges posed by such facilities; and

(B) the extent to which such facilities are used as polling places in elections for Federal office.

(2) Assistance provided by the Election Assistance Commission, Department of Justice, or other Federal agencies to help State and local officials improve voting access for individuals with disabilities during elections for Federal office.

(3) When accessible voting machines are available at a polling place, the extent to which such machines—

(A) are located in places that are difficult to access;

(B) malfunction; or

(C) fail to provide sufficient privacy to ensure that the ballot of the individual cannot be seen by another individual.

(4) The process by which Federal, State, and local governments track compliance with accessibility requirements related to voting access, including methods to receive and address complaints.

(5) The extent to which poll workers receive training on how to assist individuals with disabilities, including the receipt by such poll workers of information on legal requirements related to voting rights for individuals with disabilities.

(6) The extent and effectiveness of training provided to poll workers on the operation of accessible voting machines.

(7) The extent to which individuals with a developmental or psychiatric disability experience greater barriers to voting, and whether poll worker training adequately addresses the needs of such individuals.

(8) The extent to which State or local governments employ, or attempt to employ, individuals with disabilities to work at polling sites.

(b) REPORT.—

(1) IN GENERAL.—Not later than 9 months after the date of a regularly scheduled general election for Federal office, the Comptroller General shall submit to the appropriate congressional committees a report with respect to the most recent regularly scheduled general election for Federal office that contains the following:

(A) The analysis required by subsection (a).

(B) Recommendations, as appropriate, to promote the use of best practices used by State and local officials to address barriers to accessibility and privacy concerns for individuals with disabilities in elections for Federal office.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on House Administration of the House of Representatives;

(B) the Committee on Rules and Administration of the Senate;

(C) the Committee on Appropriations of the House of Representatives; and

(D) the Committee on Appropriations of the Senate.

Subtitle C—Early Voting

SEC. 1201. EARLY VOTING.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), and section 1104(a), is amended—

(1) by redesignating sections 310 and 311 as sections 311 and 312, respectively; and

(2) by inserting after section 309 the following new section:

''SEC. 310. EARLY VOTING.

''(a) REQUIRING VOTING PRIOR TO DATE OF ELECTION.—Each election jurisdiction shall allow individuals to vote in an election for Federal office during an early voting period which occurs prior to the date of the election, in a manner that allows the individual to receive, complete, and cast their ballot in-person.

''(b) MINIMUM EARLY VOTING REQUIREMENTS.—

''(1) IN GENERAL.—

''(A) LENGTH OF PERIOD.—The early voting period required under this subsection with respect to an election shall consist of a period of consecutive days (including weekends) which begins on the 15th day before the date of the election (or, at the option of the State, on a day prior to the 15th day before the date of the election) and ends no earlier than the second day before the date of the election.

''(B) HOURS FOR EARLY VOTING.—Each polling place which allows voting during an early voting period under subparagraph (A) shall—

''(i) allow such voting for no less than 10 hours on each day during the period;

''(ii) have uniform hours each day for which such voting occurs; and

''(iii) allow such voting to be held for some period of time prior to 9:00 a.m. (local time) and some period of time after 5:00 p.m. (local time).

''(2) REQUIREMENTS FOR VOTE-BY-MAIL JURISDICTIONS.—In the case of a jurisdiction that sends every registered voter a ballot by mail—

''(A) paragraph (1) shall not apply;

''(B) such jurisdiction shall allow eligible individuals to vote during an early voting period that ensures voters are provided the greatest opportunity to cast ballots ahead of Election Day and which includes at least one consecutive Saturday and Sunday; and

''(C) each polling place which allows voting during an early voting period under subparagraph (B) shall allow such voting—

''(i) during the election office's regular business hours; and

''(ii) for a period of not less than 8 hours on Saturdays and Sundays included in the early voting period.

''(3) REQUIREMENTS FOR SMALL JURISDICTIONS.—

''(A) IN GENERAL.—In the case of a jurisdiction described in subparagraph (B), paragraph (1)(B) shall not apply so long as all eligible individuals in the jurisdiction have the opportunity to vote—

''(i) at each polling place which allows voting during the early voting period described in paragraph (1)(A)—

''(I) during the election office's regular business hours; and

''(II) for a period of not less than 8 hours on at least one Saturday and at least one Sunday included in the early voting period; or

''(ii) at 1 or more polling places in the county in which such jurisdiction is located that allows voting during the early voting period described in paragraph (1)(A) in accordance with the requirements under paragraph (1)(B).

''(B) JURISDICTION DESCRIBED.—A jurisdiction is described in this subparagraph if such jurisdiction—

''(i) had less than 3,000 registered voters at the time of the most recent prior election for Federal office; and

''(ii) consists of a geographic area that is smaller than the jurisdiction of the county in which such jurisdiction is located.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to limit the availability of additional temporary voting sites which provide voters more opportunities to cast their ballots but which do not meet the requirements of this subsection;

''(B) to limit a polling place from being open for additional hours outside of the uniform hours set for the polling location on any day of the early voting period; or

''(C) to limit a State or jurisdiction from offering early voting on the Monday before Election Day.

''(c) AVAILABILITY OF POLLING PLACES.—To the greatest extent practicable, each State and jurisdiction shall—

''(1) ensure that there are an appropriate number of polling places which allow voting during an early voting period; and

''(2) ensure that such polling places provide the greatest opportunity for residents of the jurisdiction to vote.

''(d) LOCATION OF POLLING PLACES.—

''(1) PROXIMITY TO PUBLIC TRANSPORTATION.—To the greatest extent practicable, each State and jurisdiction shall ensure that each polling place which allows voting during an early voting period under subsection (b) is located within walking distance of a stop on a public transportation route.

''(2) AVAILABILITY IN RURAL AREAS.—In the case of a jurisdiction that includes a rural area, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places, but not less than 1, that allow voting during an early voting period under subsection (b) will be located in such rural areas; and

''(B) ensure that such polling places are located in communities which will provide the greatest opportunity for residents of rural areas to vote during the early voting period.

''(3) CAMPUSES OF INSTITUTIONS OF HIGHER EDUCATION.—In the case of a jurisdiction that is not considered a vote by mail jurisdiction described in subsection (b)(2) or a small jurisdiction described in subsection (b)(3) and that includes an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), including a branch campus of such an institution, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places, but not less than 1, that allow

voting during the early voting period under subsection (b) will be located on the physical campus of each such institution, including each such branch campus; and

''(B) ensure that such polling places provide the greatest opportunity for residents of the jurisdiction to vote.

''(e) STANDARDS.—Not later than June 30, 2026, the Commission shall issue voluntary standards for the administration of voting during voting periods which occur prior to the date of a Federal election. Subject to subsection (d), such voluntary standards shall include the nondiscriminatory geographic placement of polling places at which such voting occurs.

''(f) BALLOT PROCESSING AND SCANNING REQUIREMENTS.—

''(1) IN GENERAL.—Each State or jurisdiction shall begin processing and scanning ballots cast during in-person early voting for tabulation not later than the date that is 14 days prior to the date of the election involved, except that a State or jurisdiction may begin processing and scanning ballots cast during in-person early voting for tabulation after such date if the date on which the State or jurisdiction begins such processing and scanning ensures, to the greatest extent practical, that ballots cast before the date of the election are processed and scanned before the date of the election.

''(2) LIMITATION.—Nothing in this subsection shall be construed—

''(A) to permit a State or jurisdiction to tabulate ballots in an election before the closing of the polls on the date of the election unless such tabulation is a necessary component of preprocessing in the State or jurisdiction and is performed in accordance with existing State law; or

''(B) to permit an official to make public any results of tabulation and processing before the closing of the polls on the date of the election.

''(g) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2026 and each succeeding election for Federal office.''.

(b) CONFORMING AMENDMENTS RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 321(b) of such Act (52 U.S.C. 21101(b)), as redesignated and amended by section 1101(b), is amended—

(1) by striking ''and'' at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) except as provided in paragraph (4), in the case of the recommendations with respect to any section added by the Freedom to Vote Act, June 30, 2026.''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), and section 1104(c), is amended—

(1) by redesignating the items relating to sections 310 and 311 as relating to sections 311 and 312, respectively; and

(2) by inserting after the item relating to section 309 the following new item:

''Sec. 310. Early voting.''.

Subtitle D—Voting by Mail

SEC. 1301. VOTING BY MAIL.

(a) IN GENERAL.—

(1) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), and section 1201(a), is amended—

(A) by redesignating sections 311 and 312 as sections 312 and 313, respectively; and

(B) by inserting after section 310 the following new section:

''SEC. 311. PROMOTING ABILITY OF VOTERS TO VOTE BY MAIL.

''(a) UNIFORM AVAILABILITY OF ABSENTEE VOTING TO ALL VOTERS.—

''(1) IN GENERAL.—If an individual in a State is eligible to cast a vote in an election for Federal office, the State may not impose any additional conditions or requirements on the eligibility of the individual to cast the vote in such election by absentee ballot by mail.

''(2) ADMINISTRATION OF VOTING BY MAIL.—

''(A) PROHIBITING IDENTIFICATION REQUIREMENT AS CONDITION OF OBTAINING OR CASTING BALLOT.—A State may not require an individual to submit any form of identifying document as a condition of obtaining or casting an absentee ballot, except that nothing in this subparagraph may be construed to prevent a State from requiring—

''(i) the information required to complete an application for voter registration for an election for Federal office under section 303(a)(5)(A), provided that a State may not deny a voter a ballot or the opportunity to cast it on the grounds that the voter does not possess a current and valid driver's license number or a social security number; or

''(ii) a signature of the individual or similar affirmation as a condition of obtaining or casting an absentee ballot.

''(B) PROHIBITING FAULTY MATCHING REQUIREMENTS FOR IDENTIFYING INFORMATION.—A State may not deny a voter an absentee ballot or reject an absentee ballot cast by a voter—

''(i) on the grounds that the voter provided a different form of identifying information under subparagraph (A) than the voter originally provided when registering to vote or when requesting an absentee ballot; or

''(ii) due to an error in, or omission of, identifying information required by a State under subparagraph (A), if such error or omission is not material to an individual's eligibility to vote under section 2004(a)(2)(B) of the Revised Statutes (52 U.S.C. 10101(a)(2)(B)).

''(C) PROHIBITING REQUIREMENT TO PROVIDE NOTARIZATION OR WITNESS SIGNATURE AS CONDITION OF OBTAINING OR CASTING BALLOT.—A State may not require notarization or witness signature or other formal authentication (other than voter attestation) as a condition of obtaining or casting an absentee ballot, except that nothing in this subparagraph may be construed to prohibit a State from enforcing a law which has a witness signature requirement for a ballot where a voter oath is attested to with a mark rather than a voter's signature.

''(3) NO EFFECT ON IDENTIFICATION REQUIREMENTS FOR FIRST-TIME VOTERS REGISTERING BY MAIL.—Nothing in this subsection may be construed to exempt any individual described in paragraph (1) of section 303(b) from meeting the requirements of paragraph (2) of such section or to exempt an individual described in paragraph (5)(A) of section 303(b) from meeting the requirements of paragraph (5)(B).

''(b) DUE PROCESS REQUIREMENTS FOR STATES REQUIRING SIGNATURE VERIFICATION.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—A State may not impose a signature verification requirement as a condition of accepting and counting a mail-in ballot or absentee ballot submitted by any individual with respect to an election for Federal office unless the State meets the due process requirements described in paragraph (2).

''(B) SIGNATURE VERIFICATION REQUIREMENT DESCRIBED.—In this subsection, a 'signature verification requirement' is a requirement that an election official verify the identification of an individual by comparing the signature of the individual on the mail-in ballot or absentee ballot with the individual's signature on the official list of registered voters in the State or another official record or other document used by the State to verify the signatures of voters.

''(2) DUE PROCESS REQUIREMENTS.—

''(A) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES.—If an individual submits a mail-in ballot or an absentee ballot and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall—

''(i) as soon as practical, but not later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) a discrepancy exists between the signature on such ballot and the signature of the individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; and

''(II) if such discrepancy is not cured prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(ii) cure such discrepancy and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods.

''(B) NOTICE AND OPPORTUNITY TO CURE MISSING SIGNATURE OR OTHER DEFECT.—If an individual submits a mail-in ballot or an absentee ballot without a signature or submits a mail-in ballot or an absentee ballot with another defect which, if left uncured, would cause the ballot to not be counted, the appropriate State or local election official, prior to making a final determination as to the validity of the ballot, shall—

''(i) as soon as practical, but not later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) the ballot did not include a signature or has some other defect; and

''(II) if the individual does not provide the missing signature or cure the other defect prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(ii) count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with the missing signature on a form proscribed by the State or cures the other defect.

This subparagraph does not apply with respect to a defect consisting of the failure of a ballot to meet the applicable deadline for the acceptance of the ballot, as described in subsection (e).

''(C) OTHER REQUIREMENTS.—

''(i) IN GENERAL.—An election official may not make a determination that a discrepancy exists between the signature on a mail-in ballot or an absentee ballot and the signature of the individual on the official list of

registered voters in the State or other official record or other document used by the State to verify the signatures of voters unless—

''(I) not fewer than 2 election officials make the determination;

''(II) each official who makes the determination has received training in procedures used to verify signatures; and

''(III) of the officials who make the determination, not fewer than 1 is affiliated with the political party whose candidate received the most votes in the most recent statewide election for Federal office held in the State and not fewer than 1 is affiliated with the political party whose candidate received the second most votes in the most recent statewide election for Federal office held in the State.

''(ii) EXCEPTION.—Clause (i)(III) shall not apply to any State in which, under a law that is in effect continuously on and after the date of enactment of this section, determinations regarding signature discrepancies are made by election officials who are not affiliated with a political party.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than 180 days after the end of a Federal election cycle, each chief State election official shall submit to the Commission a report containing the following information for the applicable Federal election cycle in the State:

''(i) The number of ballots invalidated due to a discrepancy under this subsection.

''(ii) Description of attempts to contact voters to provide notice as required by this subsection.

''(iii) Description of the cure process developed by such State pursuant to this subsection, including the number of ballots determined valid as a result of such process.

''(B) SUBMISSION TO CONGRESS.—Not later than 10 days after receiving a report under subparagraph (A), the Commission shall transmit such report to Congress.

''(C) FEDERAL ELECTION CYCLE DEFINED.—For purposes of this subsection, the term 'Federal election cycle' means, with respect to any regularly scheduled election for Federal office, the period beginning on the day after the date of the preceding regularly scheduled general election for Federal office and ending on the date of such regularly scheduled general election.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to prohibit a State from rejecting a ballot attempted to be cast in an election for Federal office by an individual who is not eligible to vote in the election; or

''(B) to prohibit a State from providing an individual with more time and more methods for curing a discrepancy in the individual's signature, providing a missing signature, or curing any other defect than the State is required to provide under this subsection.

''(c) APPLICATIONS FOR ABSENTEE BALLOTS.—

''(1) IN GENERAL.—In addition to such other methods as the State may establish for an individual to apply for an absentee ballot, each State shall permit an individual to submit an application for an absentee ballot online.

''(2) TREATMENT OF WEBSITES.—A State shall be considered to meet the requirements of paragraph (1) if the website of the appropriate State or local election official allows an application for an absentee ballot to be completed and submitted online and if the website permits the individual—

''(A) to print the application so that the individual may complete the application and return it to the official; or

''(B) to request that a paper copy of the application be transmitted to the individual by mail or electronic mail so that the individual may complete the application and return it to the official.

''(3) ENSURING DELIVERY PRIOR TO ELECTION.—

''(A) IN GENERAL.—If an individual who is eligible to vote in an election for Federal office submits an application for an absentee ballot in the election and such application is received by the appropriate State or local election official not later than 13 days (excluding Saturdays, Sundays, and legal public holidays) before the date of the election, the election official shall ensure that the ballot and related voting materials are promptly mailed to the individual.

''(B) APPLICATIONS RECEIVED CLOSE TO ELECTION DAY.—If an individual who is eligible to vote in an election for Federal office submits an application for an absentee ballot in the election and such application is received by the appropriate State or local election official after the date described in subparagraph (A) but not later than 7 days (excluding Saturdays, Sundays, and legal public holidays) before the date of the election, the election official shall, to the greatest extent practical, ensure that the ballot and related voting materials are mailed to the individual within 1 business day of the receipt of the application.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall preclude a State or local jurisdiction from allowing for the acceptance and processing of absentee ballot applications submitted or received after the date described in subparagraph (B).

''(4) APPLICATION FOR ALL FUTURE ELECTIONS.—

''(A) IN GENERAL.—At the option of an individual, the individual's application to vote by absentee ballot by mail in an election for Federal office shall be treated as an application for an absentee ballot by mail in all subsequent elections for Federal office held in the State.

''(B) DURATION OF TREATMENT.—

''(i) IN GENERAL.—In the case of an individual who is treated as having applied for an absentee ballot for all subsequent elections for Federal office held in the State under subparagraph (A), such treatment shall remain effective until the earlier of such time as—

''(I) the individual is no longer registered to vote in the State; or

''(II) the individual provides an affirmative written notice revoking such treatment.

''(ii) PROHIBITION ON REVOCATION BASED ON FAILURE TO VOTE.—The treatment of an individual as having applied for an absentee ballot for all subsequent elections held in the State under subparagraph (A) shall not be revoked on the basis that the individual has not voted in an election.

''(d) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—Each State shall ensure that all absentee ballot applications, absentee ballots, and related voting materials in elections for Federal office are accessible to individuals with disabilities in a manner that provides the same opportunity for access and participation (including with privacy and independence) as for other voters.

''(e) UNIFORM DEADLINE FOR ACCEPTANCE OF MAILED BALLOTS.—

''(1) IN GENERAL.—A State or local election official may not refuse to accept or process a ballot submitted by an individual by mail with respect to an election for Federal office in the State on the grounds that the individual did not meet a deadline for returning the ballot to the appropriate State or local election official if—

''(A) the ballot is postmarked or otherwise indicated by the United States Postal Service to have been mailed on or before the date of the election; and

''(B) the ballot is received by the appropriate election official prior to the expiration of the 7-day period which begins on the date of the election.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prohibit a State from having a law that allows for counting of ballots in an election for Federal office that are received through the mail after the date that is 7 days after the date of the election.

''(f) ALTERNATIVE METHODS OF RETURNING BALLOTS.—In addition to permitting an individual to whom a ballot in an election was provided under this section to return the ballot to an election official by mail, each State shall permit the individual to cast the ballot by delivering the ballot at such times and to such locations as the State may establish, including—

''(1) permitting the individual to deliver the ballot to a polling place within the jurisdiction in which the individual is registered or otherwise eligible to vote on any date on which voting in the election is held at the polling place; and

''(2) permitting the individual to deliver the ballot to a designated ballot drop-off location, a tribally designated building, or the office of a State or local election official.

''(g) BALLOT PROCESSING AND SCANNING REQUIREMENTS.—

''(1) IN GENERAL.—Each State or jurisdiction shall begin processing and scanning ballots cast by mail for tabulation not later than the date that is 14 days prior to the date of the election involved, except that a State may begin processing and scanning ballots cast by mail for tabulation after such date if the date on which the State begins such processing and scanning ensures, to the greatest extent practical, that ballots cast before the date of the election are processed and scanned before the date of the election.

''(2) LIMITATION.—Nothing in this subsection shall be construed—

''(A) to permit a State to tabulate ballots in an election before the closing of the polls on the date of the election unless such tabulation is a necessary component of preprocessing in the State and is performed in accordance with existing State law; or

''(B) to permit an official to make public any results of tabulation and processing before the closing of the polls on the date of the election.

''(h) PROHIBITING RESTRICTIONS ON DISTRIBUTION OF ABSENTEE BALLOT APPLICATIONS BY THIRD PARTIES.—A State may not prohibit any person from providing an application for an absentee ballot in the election to any individual who is eligible to vote in the election.

''(i) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the authority of States to conduct elections for Federal office through the use of polling places at which individuals cast ballots.

''(j) NO EFFECT ON BALLOTS SUBMITTED BY ABSENT MILITARY AND OVERSEAS VOTERS.—Nothing in this section may be construed to affect the treatment of any ballot submitted by an individual who is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

''(k) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2026 and each succeeding election for Federal office.''.

(2) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), and section 1201(c), is amended—

(A) by redesignating the items relating to sections 311 and 312 as relating to sections 312 and 313, respectively; and

(B) by inserting after the item relating to section 310 the following new item:

''Sec. 311. Promoting ability of voters to vote by mail.''.

(b) SAME-DAY PROCESSING OF ABSENTEE BALLOTS.—

(1) IN GENERAL.—Chapter 34 of title 39, United States Code, is amended by adding at the end the following:

''§ 3407. Same-day processing of ballots

''(a) IN GENERAL.—The Postal Service shall ensure, to the maximum extent practicable, that any ballot carried by the Postal Service is processed by and cleared from any postal facility or post office on the same day that the ballot is received by that facility or post office.

''(b) DEFINITIONS.—As used in this section—

''(1) the term 'ballot' means any ballot transmitted by a voter by mail in an election for Federal office, but does not include any ballot covered by section 3406; and

''(2) the term 'election for Federal office' means a general, special, primary, or runoff election for the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 34 of title 39, United States Code, is amended by adding at the end the following:

''3407. Same-day processing of ballots.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to absentee ballots relating to an election for Federal office occurring on or after January 1, 2026.

(c) DEVELOPMENT OF ALTERNATIVE VERIFICATION METHODS.—

(1) DEVELOPMENT OF STANDARDS.—The Director of the National Institute of Standards, in consultation with the Election Assistance Commission, shall develop standards for the use of alternative methods which could be used in place of signature verification requirements for purposes of verifying the identification of an individual voting by mail-in or absentee ballot in elections for Federal office.

(2) PUBLIC NOTICE AND COMMENT.—The Director of the National Institute of Standards shall solicit comments from the public in the development of standards under paragraph (1).

(3) DEADLINE.—Not later than 2 years after the date of enactment of this Act, the Director of the National Institute of Standards shall publish the standards developed under paragraph (1).

SEC. 1302. BALLOTING MATERIALS TRACKING PROGRAM.

(a) IN GENERAL.—

(1) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), and section 1301(a), is amended—

(A) by redesignating sections 312 and 313 as sections 313 and 314, respectively; and

(B) by inserting after section 311 the following new section:

''SEC. 312. BALLOT MATERIALS TRACKING PROGRAM.

''(a) REQUIREMENT.—Each State shall carry out a program to track and confirm the receipt of mail-in ballots and absentee ballots in an election for Federal office under which the State or local election official responsible for the receipt of such voted ballots in the election carries out procedures to track and confirm the receipt of such ballots, and makes information on the receipt of such ballots available to the individual who cast the ballot.

''(b) MEANS OF CARRYING OUT PROGRAM.—A State may meet the requirements of subsection (a)—

''(1) through a program—

''(A) which is established by the State;

''(B) under which the State or local election official responsible for the receipt of voted mail-in ballots and voted absentee ballots in the election—

''(i) carries out procedures to track and confirm the receipt of such ballots; and

''(ii) makes information on the receipt of such ballots available to the individual who cast the ballot; and

''(C) which meets the requirements of subsection (c); or

''(2) through the ballot materials tracking service established under section 1302(b) of the Freedom to Vote Act.

''(c) STATE PROGRAM REQUIREMENTS.—The requirements of this subsection are as follows:

''(1) INFORMATION ON WHETHER VOTE WAS ACCEPTED.—The information referred to under subsection (b)(1)(B)(ii) with respect to the receipt of mail-in ballot or an absentee ballot shall include information regarding whether the vote cast on the ballot was accepted, and, in the case of a vote which was rejected, the reasons therefor.

''(2) AVAILABILITY OF INFORMATION.—Information on whether a ballot was accepted or rejected shall be available within 1 business day of the State accepting or rejecting the ballot.

''(3) ACCESSIBILITY OF INFORMATION.—

''(A) IN GENERAL.—Except as provided under subparagraph (B), the information provided under the program shall be available by means of online access using the internet site of the State or local election office.

''(B) USE OF TOLL-FREE TELEPHONE NUMBER BY OFFICIALS WITHOUT INTERNET SITE.—In the case of a State or local election official whose office does not have an internet site, the program shall require the official to establish a toll-free telephone number that may be used by an individual who cast an absentee ballot to obtain the information required under subsection (b)(1)(B).

''(d) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2028 and each succeeding election for Federal office.''.

(2) CONFORMING AMENDMENTS.—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302) is amended by striking subsection (h) and redesignating subsection (i) as subsection (h).

(b) BALLOTING MATERIALS TRACKING SERVICE.—

(1) IN GENERAL.—Not later than January 1, 2028, the Secretary of Homeland Security, in consultation with the Chair of the Election Assistance Commission, the Postmaster General, the Director of the General Services Administration, the Presidential designee, and State election officials, shall establish a balloting materials tracking service to be used by State and local jurisdictions to inform voters on the status of voter registration applications, absentee ballot applications, absentee ballots, and mail-in ballots.

(2) INFORMATION TRACKED.—The balloting materials tracking service established under paragraph (1) shall provide to a voter the following information with respect to that voter:

(A) In the case of balloting materials sent by mail, tracking information from the United States Postal Service and the Presidential designee on balloting materials sent to the voter and, to the extent feasible, returned by the voter.

(B) The date on which any request by the voter for an application for voter registration or an absentee ballot was received.

(C) The date on which any such requested application was sent to the voter.

(D) The date on which any such completed application was received from the voter and the status of such application.

(E) The date on which any mail-in ballot or absentee ballot was sent to the voter.

(F) The date on which any mail-in ballot or absentee ballot was out for delivery to the voter.

(G) The date on which the post office processes the ballot.

(H) The date on which the returned ballot was out for delivery to the election office.

(I) Whether such ballot was accepted and counted, and in the case of any ballot not counted, the reason why the ballot was not counted.

The information described in subparagraph (I) shall be available not later than 1 day after a determination is made on whether or not to accept and count the ballot.

(3) METHOD OF PROVIDING INFORMATION.—The balloting materials tracking service established under paragraph (1) shall allow voters the option to receive the information described in paragraph (2) through email (or other electronic means) or through the mail.

(4) PUBLIC AVAILABILITY OF LIMITED INFORMATION.—Information described in subparagraphs (E), (G), and (I) of paragraph (2) shall be made available to political parties and voter registration organizations, at cost to cover the expense of providing such information, for use, in accordance with State guidelines and procedures, in helping to return or cure mail-in ballots during any period in which mail-in ballots may be returned.

(5) PROHIBITION ON FEES.—The Director may not charge any fee to a State or jurisdiction for use of the balloting materials tracking service in connection with any Federal, State, or local election.

(6) PRESIDENTIAL DESIGNEE.—For purposes of this subsection, the term ''Presidential designee'' means the Presidential designee under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(a)).

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director such sums as are necessary for purposes of carrying out this subsection.

(c) REIMBURSEMENT FOR COSTS INCURRED BY STATES IN ESTABLISHING PROGRAM.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.) is amended by adding at the end the following new part:

''PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

''SEC. 297. PAYMENTS TO STATES.

''(a) PAYMENTS FOR COSTS OF PROGRAM.—In accordance with this section, the Commission shall make a payment to a State to reimburse the State for the costs incurred in establishing the absentee ballot tracking program under section 322(b)(1) (including costs incurred prior to the date of enactment of this part).

''(b) CERTIFICATION OF COMPLIANCE AND COSTS.—

''(1) CERTIFICATION REQUIRED.—In order to receive a payment under this section, a State shall submit to the Commission a statement containing—

''(A) a certification that the State has established an absentee ballot tracking program with respect to elections for Federal office held in the State; and

''(B) a statement of the costs incurred by the State in establishing the program.

''(2) AMOUNT OF PAYMENT.—The amount of a payment made to a State under this section shall be equal to the costs incurred by

the State in establishing the absentee ballot tracking program, as set forth in the statement submitted under paragraph (1), except that such amount may not exceed the product of—

''(A) the number of jurisdictions in the State which are responsible for operating the program; and

''(B) $3,000.

''(3) LIMIT ON NUMBER OF PAYMENTS RECEIVED.—A State may not receive more than one payment under this part.

''SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated to the Commission for fiscal year 2026 and each succeeding fiscal year such sums as may be necessary for payments under this part.

''(b) CONTINUING AVAILABILITY OF FUNDS.—Any amounts appropriated pursuant to the authorization under this section shall remain available until expended.''.

(d) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), and section 1301(a), is amended—

(1) by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

''Sec. 297. Payments to states.

''Sec. 297A. Authorization of appropriations.'';

(2) by redesignating the items relating to sections 312 and 313 as relating to sections 313 and 314, respectively; and

(3) by inserting after the item relating to section 311 the following new item:

''Sec. 312. Absentee ballot tracking program.''.

SEC. 1303. ELECTION MAIL AND DELIVERY IMPROVEMENTS.

(a) POSTMARK REQUIRED FOR BALLOTS.—

(1) IN GENERAL.—Chapter 34 of title 39, United States Code, as amended by section 1301(b), is amended by adding at the end the following:

''§ 3408. Postmark required for ballots

''(a) IN GENERAL.—In the case of any absentee ballot carried by the Postal Service, the Postal Service shall indicate on the ballot envelope, using a postmark or otherwise—

''(1) the fact that the ballot was carried by the Postal Service; and

''(2) the date on which the ballot was mailed.

''(b) DEFINITIONS.—As used in this section—

''(1) the term 'absentee ballot' means any ballot transmitted by a voter by mail in an election for Federal office, but does not include any ballot covered by section 3406; and

''(2) the term 'election for Federal office' means a general, special, primary, or runoff election for the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 34 of title 39, United States Code, as amended by section 1301(b), is amended by adding at the end the following:

''3408. Postmark required for ballots.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to absentee ballots relating to an election for Federal office occurring on or after January 1, 2026.

(b) GREATER VISIBILITY FOR BALLOTS.—

(1) IN GENERAL.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), and section 1302(a), is amended—

(A) by redesignating sections 313 and 314 as sections 314 and 315, respectively; and

(B) by inserting after section 312 the following new section:

''SEC. 313. BALLOT VISIBILITY.

''(a) IN GENERAL.—Each State or local election official shall—

''(1) affix Tag 191, Domestic and International Mail-In Ballots (or any successor tag designated by the United States Postal Service), to any tray or sack of official ballots relating to an election for Federal office that is destined for a domestic or international address;

''(2) use the Official Election Mail logo to designate official ballots relating to an election for Federal office that is destined for a domestic or international address; and

''(3) if an intelligent mail barcode is utilized for any official ballot relating to an election for Federal office that is destined for a domestic or international address, ensure the specific ballot service type identifier for such mail is visible.

''(b) EFFECTIVE DATE.—The requirements of this section shall apply to elections for Federal office occurring on and after January 1, 2026.''.

(2) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102, 1103 and 1104, is amended by striking ''and 309'' and inserting ''309, and 313''.

(3) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), and section 1302(a), is amended—

(A) by redesignating the items relating to sections 313 and 314 as relating to sections 314 and 315; and

(B) by inserting after the item relating to section 312 the following new item:

''Sec. 313. Ballot visibility.''.

SEC. 1304. CARRIAGE OF ELECTION MAIL.

(a) TREATMENT OF ELECTION MAIL.—

(1) TREATMENT AS FIRST-CLASS MAIL; FREE POSTAGE.—Chapter 34 of title 39, United States Code, as amended by section 1301(b) and section 1303(a), is amended by adding at the end the following:

''§ 3409. Domestic election mail; restriction of operational changes prior to elections

''(a) DEFINITION.—In this section, the term 'election mail' means—

''(1) a blank or completed voter registration application form, voter registration card, or similar materials, relating to an election for Federal office;

''(2) a blank or completed absentee and other mail-in ballot application form, and a blank or completed absentee or other mail-in ballot, relating to an election for Federal office, and

''(3) other materials relating to an election for Federal office that are mailed by a State or local election official to an individual who is registered to vote.

''(b) CARRIAGE OF ELECTION MAIL.—Election mail (other than balloting materials covered under section 3406 (relating to the Uniformed and Overseas Absentee Voting Act)), individually or in bulk, shall be carried in accordance with the service standards established for first-class mail under section 3691.

''(c) NO POSTAGE REQUIRED FOR COMPLETED BALLOTS.—Completed absentee or other mail-in ballots (other than balloting materials covered under section 3406 (relating to the Uniformed and Overseas Absentee Voting Act)) shall be carried free of postage.

''(d) RESTRICTION OF OPERATIONAL CHANGES.—During the 120-day period that ends on the date of an election for Federal office, the Postal Service may not carry out any new operational change that would restrict the prompt and reliable delivery of election mail. This subsection applies to operational changes which include—

''(1) removing or eliminating any mail collection box without immediately replacing it; and

''(2) removing, decommissioning, or any other form of stopping the operation of mail sorting machines, other than for routine maintenance.

''(e) ELECTION MAIL COORDINATOR.—The Postal Service shall appoint an Election Mail Coordinator at each area office and district office to facilitate relevant information sharing with State, territorial, local, and Tribal election officials in regards to the mailing of election mail.''.

(2) REIMBURSEMENT OF POSTAL SERVICE FOR REVENUE FORGONE.—Section 2401(c) of title 39, United States Code, is amended by striking ''sections 3217 and 3403 through 3406'' and inserting ''sections 3217, 3403 through 3406, and 3409''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 34 of title 39, United States Code, as amended by section 1301(b) and section 1303(a), is amended by adding at the end the following:

''3409. Domestic election mail; restriction of operational changes prior to elections.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 180-day period that begins on the date of enactment of this section.

SEC. 1305. REQUIRING STATES TO PROVIDE SECURED DROP BOXES FOR VOTED BALLOTS IN ELECTIONS FOR FEDERAL OFFICE.

(a) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), and section 1303(b) is amended—

(1) by redesignating sections 314 and 315 as sections 315 and 316, respectively; and

(2) by inserting after section 313 the following new section:

''SEC. 314. USE OF SECURED DROP BOXES FOR VOTED BALLOTS.

''(a) REQUIRING USE OF DROP BOXES.—Each jurisdiction shall provide in-person, secured, and clearly labeled drop boxes at which individuals may, at any time during the period described in subsection (b), drop off voted ballots in an election for Federal office.

''(b) MINIMUM PERIOD FOR AVAILABILITY OF DROP BOXES.—The period described in this subsection is, with respect to an election, the period that begins on the first day on which the jurisdiction sends mail-in ballots or absentee ballots (other than ballots for absent uniformed overseas voters (as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1))) or overseas voters (as defined in section 107(5) of such Act (52 U.S.C. 20310(5)))) to voters for such election and which ends at the time the polls close for the election in the jurisdiction involved.

''(c) ACCESSIBILITY.—

''(1) HOURS OF ACCESS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each drop box provided under this section shall be accessible to voters for a reasonable number of hours each day.

''(B) 24-HOUR DROP BOXES.—

''(i) IN GENERAL.—Of the number of drop boxes provided in any jurisdiction, not less than the required number shall be accessible for 24-hours per day during the period described in subsection (b).

''(ii) REQUIRED NUMBER.—The required number is the greater of—

''(I) 25 percent of the drop boxes required under subsection (d); or

''(II) 1 drop box.

''(2) POPULATION.—

''(A) IN GENERAL.—Drop boxes provided under this section shall be accessible for use—

''(i) by individuals with disabilities, as determined in consultation with the protection and advocacy systems (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)) of the State;

''(ii) by individuals with limited proficiency in the English language; and

''(iii) by homeless individuals (as defined in section 103 of the McKinney–Vento Homeless Assistance Act (42 U.S.C. 11302)) within the State.

''(B) DETERMINATION OF ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—For purposes of this paragraph, drop boxes shall be considered to be accessible for use by individuals with disabilities if the drop boxes meet such criteria as the Attorney General may establish for such purposes.

''(C) RULE OF CONSTRUCTION.—If a drop box provided under this section is on the grounds of or inside a building or facility which serves as a polling place for an election during the period described in subsection (b), nothing in this subsection may be construed to waive any requirements regarding the accessibility of such polling place for the use of individuals with disabilities, individuals with limited proficiency in the English language, or homeless individuals.

''(d) NUMBER OF DROP BOXES.—Each jurisdiction shall have—

''(1) in the case of any election for Federal office prior to the regularly scheduled general election for Federal office held in November 2028, not less than 1 drop box for every 45,000 registered voters located in the jurisdiction; and

''(2) in the case of the regularly scheduled general election for Federal office held in November 2028 and each election for Federal office occurring thereafter, not less than the greater of—

''(A) 1 drop box for every 45,000 registered voters located in the jurisdiction; or

''(B) 1 drop box for every 15,000 votes that were cast by mail in the jurisdiction in the most recent general election that includes an election for the office of President.

In no case shall a jurisdiction have fewer than 1 drop box for any election for Federal office.

''(e) LOCATION OF DROP BOXES.—The State shall determine the location of drop boxes provided under this section in a jurisdiction on the basis of criteria which ensure that the drop boxes are—

''(1) available to all voters on a non-discriminatory basis;

''(2) accessible to voters with disabilities (in accordance with subsection (c));

''(3) accessible by public transportation to the greatest extent possible;

''(4) available during all hours of the day;

''(5) sufficiently available in all communities in the jurisdiction, including rural communities and on Tribal lands within the jurisdiction (subject to subsection (f)); and

''(6) geographically distributed to provide a reasonable opportunity for voters to submit their voted ballot in a timely manner.

''(f) TIMING OF SCANNING AND PROCESSING OF BALLOTS.—For purposes of section 311(g) (relating to the timing of the processing and scanning of ballots for tabulation), a vote cast using a drop box provided under this section shall be treated in the same manner as a ballot cast by mail.

''(g) POSTING OF INFORMATION.—On or adjacent to each drop box provided under this section, the State shall post information on the requirements that voted absentee ballots must meet in order to be counted and tabulated in the election.

''(h) REMOTE SURVEILLANCE.—Nothing in this section shall prohibit a State from providing for the security of drop boxes through remote or electronic surveillance.

''(i) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2026 and each succeeding election for Federal office.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(c), section 1302(a), and section 1303(b), is amended—

(1) by redesignating the items relating to sections 314 and 315 as relating to sections 315 and 316, respectively; and

(2) by inserting after the item relating to section 313 the following new item:

''Sec. 314. Use of secured drop boxes for voted absentee ballots.''.

Subtitle E—Absent Uniformed Services Voters and Overseas Voters

SEC. 1401. PRE-ELECTION REPORTS ON AVAILABILITY AND TRANSMISSION OF ABSENTEE BALLOTS.

Section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(c)) is amended to read as follows:

''(c) REPORTS ON AVAILABILITY, TRANSMISSION, AND RECEIPT OF ABSENTEE BALLOTS.—

''(1) PRE-ELECTION REPORT ON ABSENTEE BALLOT AVAILABILITY.—Not later than 55 days before any regularly scheduled general election for Federal office, each State shall submit a report to the Attorney General certifying that absentee ballots for the election are or will be available for transmission to absent uniformed services voters and overseas voters by not later than 46 days before the election. The report shall be in a form prescribed by the Attorney General and shall require the State to certify specific information about ballot availability from each unit of local government which will administer the election.

''(2) PRE-ELECTION REPORT ON ABSENTEE BALLOTS TRANSMITTED.—

''(A) IN GENERAL.—Not later than 43 days before any election for Federal office held in a State, the chief State election official of such State shall submit a report containing the information in subparagraph (B) to the Attorney General.

''(B) INFORMATION REPORTED.—The report under subparagraph (A) shall consist of the following:

''(i) The total number of absentee ballots validly requested by absent uniformed services voters and overseas voters whose requests were received by the 47th day before the election by each unit of local government within the State that will transmit absentee ballots.

''(ii) The total number of ballots transmitted to such voters by the 46th day before the election by each unit of local government within the State that will administer the election.

''(iii) Specific information about any late transmitted ballots.

''(C) REQUIREMENT TO SUPPLEMENT INCOMPLETE INFORMATION.—If the report under subparagraph (A) has incomplete information on any items required to be included in the report, the chief State election official shall make all reasonable efforts to expeditiously supplement the report with complete information.

''(D) FORMAT.—The report under subparagraph (A) shall be in a format prescribed by the Attorney General in consultation with the chief State election officials of each State.

''(3) POST-ELECTION REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Assistance Commission on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such report available to the general public that same day.''.

SEC. 1402. ENFORCEMENT.

(a) AVAILABILITY OF CIVIL PENALTIES AND PRIVATE RIGHTS OF ACTION.—Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20307) is amended to read as follows:

''SEC. 105. ENFORCEMENT.

''(a) ACTION BY ATTORNEY GENERAL.—The Attorney General may bring civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(b) PRIVATE RIGHT OF ACTION.—A person who is aggrieved by a violation of this title may bring a civil action in an appropriate district court for such declaratory or injunctive relief as may be necessary to carry out this title.

''(c) STATE AS ONLY NECESSARY DEFENDANT.—In any action brought under this section, the only necessary party defendant is the State, and it shall not be a defense to any such action that a local election official or a unit of local government is not named as a defendant, notwithstanding that a State has exercised the authority described in section 576 of the Military and Overseas Voter Empowerment Act to delegate to another jurisdiction in the State any duty or responsibility which is the subject of an action brought under this section.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations alleged to have occurred on or after the date of enactment of this Act.

SEC. 1403. TRANSMISSION REQUIREMENTS; REPEAL OF WAIVER PROVISION.

(a) IN GENERAL.—Paragraph (8) of section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)) is amended to read as follows:

''(8) transmit a validly requested absentee ballot to an absent uniformed services voter or overseas voter by the date and in the manner determined under subsection (g);''.

(b) BALLOT TRANSMISSION REQUIREMENTS AND REPEAL OF WAIVER PROVISION.—Subsection (g) of section 102 of such Act (52 U.S.C. 20302(g)) is amended to read as follows:

''(g) BALLOT TRANSMISSION REQUIREMENTS.—

''(1) IN GENERAL.—For purposes of subsection (a)(8), in the case in which a valid request for an absentee ballot is received at least 47 days before an election for Federal office, the following rules shall apply:

''(A) TRANSMISSION DEADLINE.—The State shall transmit the absentee ballot not later than 46 days before the election.

''(B) SPECIAL RULES IN CASE OF FAILURE TO TRANSMIT ON TIME.—

''(i) IN GENERAL.—If the State fails to transmit any absentee ballot by the 46th day before the election as required by subparagraph (A) and the absent uniformed services voter or overseas voter did not request electronic ballot transmission pursuant to subsection (f), the State shall transmit such ballot by express delivery.

''(ii) EXTENDED FAILURE.—If the State fails to transmit any absentee ballot by the 41st day before the election, in addition to transmitting the ballot as provided in clause (i), the State shall—

''(I) in the case of absentee ballots requested by absent uniformed services voters with respect to regularly scheduled general elections, notify such voters of the procedures established under section 103A for the collection and delivery of marked absentee ballots; and

''(II) in any other case, provide for the return of such ballot by express delivery.

''(iii) COST OF EXPRESS DELIVERY.—In any case in which express delivery is required under this subparagraph, the cost of such express delivery—

''(I) shall not be paid by the voter; and

''(II) if determined appropriate by the chief State election official, may be required by the State to be paid by a local jurisdiction.

''(iv) EXCEPTION.—Clause (ii)(II) shall not apply when an absent uniformed services voter or overseas voter indicates the preference to return the late sent absentee ballot by electronic transmission in a State that permits return of an absentee ballot by electronic transmission.

''(v) ENFORCEMENT.—A State's compliance with this subparagraph does not bar the Attorney General from seeking additional remedies necessary to fully resolve or prevent ongoing, future, or systematic violations of this provision or to effectuate the purposes of this Act.

''(C) SPECIAL PROCEDURE IN EVENT OF DISASTER.—If a disaster (hurricane, tornado, earthquake, storm, volcanic eruption, landslide, fire, flood, or explosion), or an act of terrorism prevents the State from transmitting any absentee ballot by the 46th day before the election as required by subparagraph (A), the chief State election official shall notify the Attorney General as soon as practicable and take all actions necessary, including seeking any necessary judicial relief, to ensure that affected absent uniformed services voters and overseas voters are provided a reasonable opportunity to receive and return their absentee ballots in time to be counted.

''(2) REQUESTS RECEIVED AFTER 47TH DAY BEFORE ELECTION.—For purposes of subsection (a)(8), in the case in which a valid request for an absentee ballot is received less than 47 days but not less than 30 days before an election for Federal office, the State shall transmit the absentee ballot within one business day of receipt of the request.''.

SEC. 1404. USE OF SINGLE ABSENTEE BALLOT APPLICATION FOR SUBSEQUENT ELECTIONS.

(a) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20306) is amended to read as follows:

''SEC. 104. TREATMENT OF BALLOT REQUESTS.

''(a) IN GENERAL.—If a State accepts and processes an official post card form (prescribed under section 101) submitted by an absent uniformed services voter or overseas voter for simultaneous voter registration and absentee ballot application (in accordance with section 102(a)(4)) and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the end of the calendar year following the next regularly scheduled general election for Federal office, the State shall provide an absentee ballot to the voter for each such subsequent election.

''(b) EXCEPTION FOR VOTERS CHANGING REGISTRATION.—Subsection (a) shall not apply with respect to a voter registered to vote in a State for any election held after the voter notifies the State that the voter no longer wishes to be registered to vote in the State or after the State determines that the voter has registered to vote in another State or is otherwise no longer eligible to vote in the State.

''(c) PROHIBITION OF REFUSAL OF APPLICATION ON GROUNDS OF EARLY SUBMISSION.—A State may not refuse to accept or to process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent uniformed services voter or overseas voter on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that election which are submitted by absentee voters who are not members of the uniformed services or overseas citizens.''.

(b) REQUIREMENT FOR REVISION TO POSTCARD FORM.—

(1) IN GENERAL.—The Presidential designee shall ensure that the official postcard form prescribed under section 101(b)(2) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(b)(2)) enables a voter using the form to—

(A) request an absentee ballot for each election for Federal office held in a State through the end of the calendar year following the next regularly scheduled general election for Federal office; or

(B) request an absentee ballot for a specific election or elections for Federal office held in a State during the period described in subparagraph (A).

(2) PRESIDENTIAL DESIGNEE.—For purposes of this paragraph, the term ''Presidential designee'' means the individual designated under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(a)).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to voter registration and absentee ballot applications which are submitted to a State or local election official on or after the date of enactment of this Act.

SEC. 1405. EXTENDING GUARANTEE OF RESIDENCY FOR VOTING PURPOSES TO FAMILY MEMBERS OF ABSENT MILITARY PERSONNEL.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302), as amended by section 1302, is amended by adding at the end the following new subsection:

''(i) GUARANTEE OF RESIDENCY FOR SPOUSES AND DEPENDENTS OF ABSENT MEMBERS OF UNIFORMED SERVICE.—For the purposes of voting in any election for any Federal office or any State or local office, a spouse or dependent of an individual who is an absent uniformed services voter described in subparagraph (A) or (B) of section 107(1) shall not, solely by reason of that individual's absence and without regard to whether or not such spouse or dependent is accompanying that individual—

''(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not that individual intends to return to that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become a resident in or a resident of any other State.''.

SEC. 1406. TECHNICAL CLARIFICATIONS TO CONFORM TO MILITARY AND OVERSEAS VOTER EMPOWERMENT ACT AMENDMENTS RELATED TO THE FEDERAL WRITE-IN ABSENTEE BALLOT.

(a) IN GENERAL.—Section 102(a)(3) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)(3)) is amended by striking ''general elections'' and inserting ''general, special, primary, and runoff elections''.

(b) CONFORMING AMENDMENT.—Section 103 of such Act (52 U.S.C. 20303) is amended—

(1) in subsection (b)(2)(B), by striking ''general''; and

(2) in the heading thereof, by striking ''**GENERAL**''.

SEC. 1407. TREATMENT OF POST CARD REGISTRATION REQUESTS.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302), as amended by sections 1302 and 1405, is amended by adding at the end the following new subsection:

''(j) TREATMENT OF POST CARD REGISTRATIONS.—A State shall not remove any absent uniformed services voter or overseas voter who has registered to vote using the official post card form (prescribed under section 101) from the official list of registered voters except in accordance with subparagraph (A), (B), or (C) of section 8(a)(3) of the National Voter Registration Act of 1993 (52 U.S.C. 20507).''.

SEC. 1408. PRESIDENTIAL DESIGNEE REPORT ON VOTER DISENFRANCHISEMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Presidential designee shall submit to Congress a report on the impact of widespread mail-in voting on the ability of active duty military service members to vote, how quickly the votes of those individuals are counted, and whether higher volumes of mail-in votes makes it harder for such individuals to vote in elections for Federal elections.

(b) PRESIDENTIAL DESIGNEE.—For purposes of this section, the term ''Presidential designee'' means the individual designated under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(a)).

SEC. 1409. EFFECTIVE DATE.

Except as provided in section 1402(b) and section 1404(c), the amendments made by this subtitle shall apply with respect to elections occurring on or after January 1, 2026.

Subtitle F—Enhancement of Enforcement

SEC. 1501. ENHANCEMENT OF ENFORCEMENT OF HELP AMERICA VOTE ACT OF 2002.

(a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Section 401 of the Help America Vote Act of 2002 (52 U.S.C. 21111) is amended—

(1) by striking ''The Attorney General'' and inserting ''(a) IN GENERAL.—The Attorney General''; and

(2) by adding at the end the following new subsections:

''(b) FILING OF COMPLAINTS BY AGGRIEVED PERSONS.—A person who is aggrieved by a violation of title III that impairs their ability to cast a ballot or a provisional ballot, to register or maintain one's registration to vote, or to vote on a voting system meeting the requirements of such title, which has occurred, is occurring, or is about to occur may file a written, signed, and notarized complaint with the Attorney General describing the violation and requesting the Attorney General to take appropriate action under this section. The Attorney General shall immediately provide a copy of a complaint filed under the previous sentence to the entity responsible for administering the State-based administrative complaint procedures described in section 402(a) for the State involved.

''(c) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—Any person who is authorized to file a complaint under subsection (b) (including any individual who seeks to enforce the individual's right to a voter-verifiable paper ballot, the right to have the voter-verifiable paper ballot counted in accordance with this Act, or any other right under title III) may file an action under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) to enforce the uniform and nondiscriminatory election technology and administration requirements under subtitle A of title III.

''(d) NO EFFECT ON STATE PROCEDURES.—Nothing in this section may be construed to affect the availability of the State-based administrative complaint procedures required under section 402 to any person filing a complaint under this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring with respect to elections for Federal office held in 2026 or any succeeding year.

Subtitle G—Promoting Voter Access Through Election Administration Modernization Improvements

PART 1—PROMOTING VOTER ACCESS

SEC. 1601. MINIMUM NOTIFICATION REQUIREMENTS FOR VOTERS AFFECTED BY POLLING PLACE CHANGES.

(a) REQUIREMENTS.—Section 302 of the Help America Vote Act of 2002 (52 U.S.C. 21082) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

''(d) MINIMUM NOTIFICATION REQUIREMENTS FOR VOTERS AFFECTED BY POLLING PLACE CHANGES.—

''(1) REQUIREMENT FOR PRECINCT-BASED POLLING.—

''(A) IN GENERAL.—If an applicable individual has been assigned to a polling place that is different than the polling place that such individual was assigned with respect to the most recent past election for Federal office in which the individual was eligible to vote—

''(i) the appropriate election official shall, not later than 2 days before the beginning of an early voting period—

''(I) notify the individual of the location of the polling place; and

''(II) post a general notice on the website of the State or jurisdiction, on social media platforms (if available), and on signs at the prior polling place; and

''(ii) if such assignment is made after the date that is 2 days before the beginning of an early voting period and the individual appears on the date of the election at the polling place to which the individual was previously assigned, the jurisdiction shall make every reasonable effort to enable the individual to vote a ballot on the date of the election without the use of a provisional ballot.

''(B) APPLICABLE INDIVIDUAL.—For purposes of subparagraph (A), the term 'applicable individual' means, with respect to any election for Federal office, any individual—

''(i) who is registered to vote in a jurisdiction for such election and was registered to vote in such jurisdiction for the most recent past election for Federal office; and

''(ii) whose voter registration address has not changed since such most recent past election for Federal office.

''(C) METHODS OF NOTIFICATION.—The appropriate election official shall notify an individual under clause (i)(I) of subparagraph (A) by mail, telephone, and (if available) text message and electronic mail.

''(2) REQUIREMENTS FOR VOTE CENTERS.—In the case of a jurisdiction in which individuals are not assigned to specific polling places, not later than 2 days before the beginning of an early voting period, the appropriate election official shall notify each individual eligible to vote in such jurisdiction of the location of all polling places at which the individual may vote.

''(3) NOTICE WITH RESPECT TO CLOSED POLLING PLACES.—

''(A) IN GENERAL.—If a location which served as a polling place for an election for Federal office in a State does not serve as a polling place in the next election for Federal office held in the State, the State shall ensure that signs are posted at such location on the date of the election and during any early voting period for the election containing the following information:

''(i) A statement that the location is not serving as a polling place in the election.

''(ii) The locations serving as polling places in the election in the jurisdiction involved.

''(iii) The name and address of any substitute polling place serving the same precinct and directions from the former polling place to the new polling place.

''(iv) Contact information, including a telephone number and website, for the appropriate State or local election official through which an individual may find the polling place to which the individual is assigned for the election.

''(B) INTERNET POSTING.—Each State which is required to post signs under subparagraph (A) shall also provide such information through a website and through social media (if available).

''(4) LINGUISTIC PREFERENCE.—The notices required under this subsection shall comply with the requirements of section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

''(5) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2026.''.

(b) CONFORMING AMENDMENT.—Section 302(e) of such Act (52 U.S.C. 21082(e)), as redesignated by subsection (a), is amended by striking ''Each State'' and inserting ''Except as provided in subsection (d)(4), each State''.

SEC. 1602. APPLICABILITY TO COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.

Paragraphs (6) and (8) of section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310) are each amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

SEC. 1603. ELIMINATION OF 14-DAY TIME PERIOD BETWEEN GENERAL ELECTION AND RUNOFF ELECTION FOR FEDERAL ELECTIONS IN THE VIRGIN ISLANDS AND GUAM.

Section 2 of the Act entitled ''An Act to provide that the unincorporated territories of Guam and the Virgin Islands shall each be represented in Congress by a Delegate to the House of Representatives'', approved April 10, 1972 (48 U.S.C. 1712), is amended—

(1) by striking ''(a) The Delegate'' and inserting ''The Delegate'';

(2) by striking ''on the fourteenth day following such an election'' in the fourth sentence of subsection (a); and

(3) by striking subsection (b).

SEC. 1604. APPLICATION OF FEDERAL ELECTION ADMINISTRATION LAWS TO TERRITORIES OF THE UNITED STATES.

(a) NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 3(4) of the National Voter Registration Act of 1993 (52 U.S.C. 20502(4)) is amended by striking ''States and the District of Columbia'' and inserting ''States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

(b) HELP AMERICA VOTE ACT OF 2002.—

(1) COVERAGE OF COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—Section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141) is amended by striking ''and the United States Virgin Islands'' and inserting ''the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

(2) CONFORMING AMENDMENTS TO HELP AMERICA VOTE ACT OF 2002.—Such Act is further amended as follows:

(A) The second sentence of section 213(a)(2) (52 U.S.C. 20943(a)(2)) is amended by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

(B) Section 252(c)(2) (52 U.S.C. 21002(c)(2)) is amended by striking ''or the United States Virgin Islands'' and inserting ''the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands''.

(3) CONFORMING AMENDMENT RELATING TO CONSULTATION OF HELP AMERICA VOTE FOUNDATION WITH LOCAL ELECTION OFFICIALS.—Section 90102(c) of title 36, United States Code, is amended by striking ''and the United States Virgin Islands'' and inserting ''the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands''.

SEC. 1605. APPLICATION OF FEDERAL VOTER PROTECTION LAWS TO TERRITORIES OF THE UNITED STATES.

(a) INTIMIDATION OF VOTERS.—Section 594 of title 18, United States Code, is amended by striking ''Delegate from the District of Columbia, or Resident Commissioner,'' and inserting ''or Delegate or Resident Commissioner to the Congress''.

(b) INTERFERENCE BY GOVERNMENT EMPLOYEES.—Section 595 of title 18, United States Code, is amended by striking ''Delegate from the District of Columbia, or Resident Commissioner,'' and inserting ''or Delegate or Resident Commissioner to the Congress''.

(c) VOTING BY NONCITIZENS.—Section 611(a) of title 18, United States Code, is amended by striking ''Delegate from the District of Columbia, or Resident Commissioner,'' and inserting ''or Delegate or Resident Commissioner to the Congress''.

SEC. 1606. ENSURING EQUITABLE AND EFFICIENT OPERATION OF POLLING PLACES.

(a) IN GENERAL.—

(1) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), and section 1305(a), is amended—

(A) by redesignating sections 315 and 316 as sections 316 and 317, respectively; and

(B) by inserting after section 314 the following new section:

''SEC. 315. ENSURING EQUITABLE AND EFFICIENT OPERATION OF POLLING PLACES.

''(a) PREVENTING UNREASONABLE WAITING TIMES FOR VOTERS.—

''(1) IN GENERAL.—Each State or jurisdiction shall take reasonable efforts to provide a sufficient number of voting systems, poll workers, and other election resources (including physical resources) at a polling place used in any election for Federal office, including a polling place at which individuals may cast ballots prior to the date of the election, to ensure—

''(A) a fair and equitable waiting time for all voters in the State or jurisdiction; and

''(B) that no individual will be required to wait longer than 30 minutes to cast a ballot at the polling place.

''(2) CRITERIA.—In determining the number of voting systems, poll workers, and other election resources provided at a polling place for purposes of paragraph (1), the State or jurisdiction shall take into account the following factors:

''(A) The voting age population.

''(B) Voter turnout in past elections.

''(C) The number of voters registered.

''(D) The number of voters who have registered since the most recent Federal election.

''(E) Census data for the population served by the polling place, such as the proportion of the voting-age population who are under 25 years of age or who are naturalized citizens.

''(F) The needs and numbers of voters with disabilities and voters with limited English proficiency.

''(G) The type of voting systems used.

''(H) The length and complexity of initiatives, referenda, and other questions on the ballot.

''(I) Such other factors, including relevant demographic factors relating to the population served by the polling place, as the State considers appropriate.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed—

''(A) to authorize a State or jurisdiction to meet the requirements of this subsection by closing any polling place, prohibiting an individual from entering a line at a polling place, or refusing to permit an individual who has arrived at a polling place prior to closing time from voting at the polling place; or

''(B) to limit the use of mobile voting centers.

''(b) LIMITING VARIATIONS ON NUMBER OF HOURS OF OPERATION OF POLLING PLACES WITHIN A STATE.—

''(1) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) and paragraph (2), each State shall establish hours of operation for all polling places in the State on the date of any election for Federal office held in the State such that the polling place with the greatest number of hours of operation on such date is not in operation for more than 2 hours longer than the polling place with the fewest number of hours of operation on such date.

''(B) PERMITTING VARIANCE ON BASIS OF POPULATION.—Subparagraph (A) does not apply to the extent that the State establishes variations in the hours of operation of polling places on the basis of the overall population or the voting age population (as the State may select) of the unit of local government in which such polling places are located.

''(2) EXCEPTIONS FOR POLLING PLACES WITH HOURS ESTABLISHED BY UNITS OF LOCAL GOVERNMENT.—Paragraph (1) does not apply in the case of a polling place—

''(A) whose hours of operation are established, in accordance with State law, by the unit of local government in which the polling place is located; or

''(B) which is required pursuant to an order by a court to extend its hours of operation beyond the hours otherwise established.

''(c) ENSURING ACCESS TO POLLING PLACES FOR VOTERS.—

''(1) PROXIMITY TO PUBLIC TRANSPORTATION.—To the greatest extent practicable, each State and jurisdiction shall ensure that each polling place used on the date of the election is located within walking distance of a stop on a public transportation route.

''(2) AVAILABILITY IN RURAL AREAS.—In the case of a jurisdiction that includes a rural area, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places (not less than one) used on the date of the election will be located in such rural areas; and

''(B) ensure that such polling places are located in communities which will provide the greatest opportunity for residents of rural areas to vote on the date of the election.

''(3) CAMPUSES OF INSTITUTIONS OF HIGHER EDUCATION.—In the case of a jurisdiction that is not considered a vote by mail jurisdiction described in section 310(b)(2) or a small jurisdiction described in section 310(b)(3) and that includes an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), including a branch campus of such an institution, the State or jurisdiction shall—

''(A) ensure that an appropriate number of polling places (not less than one) used on the date of the election will be located on the physical campus of each such institution, including each such branch campus; and

''(B) ensure that such polling places provide the greatest opportunity for residents of the jurisdiction to vote.

''(d) EFFECTIVE DATE.—This section shall take effect upon the expiration of the 180-day period which begins on the date of enactment of this subsection.''.

(2) CONFORMING AMENDMENTS RELATING TO ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 321(b) of such Act (52 U.S.C. 21101(b)), as redesignated and amended by section 1101(b) and as amended by sections, 1102, 1103, 1104, and 1201, is amended—

(A) by striking ''and'' at the end of paragraph (4);

(B) by redesignating paragraph (5) as paragraph (6);

(C) in paragraph (6), as so redesignated, by striking ''paragraph (4)'' and inserting ''paragraph (4) or (5)''; and

(D) by inserting after paragraph (4) the following new paragraph:

''(5) in the case of the recommendations with respect to section 315, 180 days after the date of enactment of such section; and''.

(3) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), and section 1305(b), is amended—

(A) by redesignating the items relating to sections 315 and 316 as relating to sections 316 and 317, respectively; and

(B) by inserting after the item relating to section 314 the following new item:

''Sec. 315. Ensuring equitable and efficient operation of polling places.''.

(b) STUDY OF METHODS TO ENFORCE FAIR AND EQUITABLE WAITING TIMES.—

(1) STUDY.—The Election Assistance Commission and the Comptroller General of the United States shall conduct a joint study of the effectiveness of various methods of enforcing the requirements of section 315(a) of the Help America Vote Act of 2002, as added by subsection (a), including methods of best allocating resources to jurisdictions which have had the most difficulty in providing a fair and equitable waiting time at polling places to all voters, and to communities of color in particular.

(2) REPORT.—Not later than 18 months after the date of enactment of this Act, the Election Assistance Commission and the Comptroller General of the United States shall publish and submit to Congress a report on the study conducted under paragraph (1).

SEC. 1607. PROHIBITING STATES FROM RESTRICTING CURBSIDE VOTING.

(a) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), section 1305(a), and section 1606(a)(1), is amended—

(1) by redesignating sections 316 and 317 as sections 317 and 318, respectively; and

(2) by inserting after section 315 the following new section:

''SEC. 316. PROHIBITING STATES FROM RESTRICTING CURBSIDE VOTING.

''(a) PROHIBITION.—A State may not—

''(1) prohibit any jurisdiction administering an election for Federal office in the State from utilizing curbside voting as a method by which individuals may cast ballots in the election; or

''(2) impose any restrictions which would exclude any individual who is eligible to vote in such an election in a jurisdiction which utilizes curbside voting from casting a ballot in the election by such method.

''(b) EFFECTIVE DATE.—This section shall apply with respect to the regularly scheduled general election for Federal office held in November 2026 and each succeeding election for Federal office.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), section 1305(a), and section 1606(a)(3), is amended—

(1) by redesignating the items relating to sections 316 and 317 as relating to sections 317 and 318, respectively; and

(2) by inserting after the item relating to section 315 the following new item:

''Sec. 316. Prohibiting States from restricting curbside voting.''.

PART 2—IMPROVEMENTS IN OPERATION OF ELECTION ASSISTANCE COMMISSION

SEC. 1611. REAUTHORIZATION OF ELECTION ASSISTANCE COMMISSION.

Section 210 of the Help America Vote Act of 2002 (52 U.S.C. 20930) is amended—

(1) by striking ''for each of the fiscal years 2003 through 2005'' and inserting ''for fiscal year 2026 and each succeeding fiscal year''; and

(2) by striking ''(but not to exceed $10,000,000 for each such year)''.

SEC. 1612. RECOMMENDATIONS TO IMPROVE OPERATIONS OF ELECTION ASSISTANCE COMMISSION.

(a) ASSESSMENT OF INFORMATION TECHNOLOGY AND CYBERSECURITY.—Not later than June 30, 2026, the Election Assistance Commission shall carry out an assessment of the security and effectiveness of the Commission's information technology systems, including the cybersecurity of such systems.

(b) IMPROVEMENTS TO ADMINISTRATIVE COMPLAINT PROCEDURES.—

(1) REVIEW OF PROCEDURES.—The Election Assistance Commission shall carry out a review of the effectiveness and efficiency of the State-based administrative complaint procedures established and maintained under section 402 of the Help America Vote Act of 2002 (52 U.S.C. 21112) for the investigation and resolution of allegations of violations of title III of such Act.

(2) RECOMMENDATIONS TO STREAMLINE PROCEDURES.—Not later than June 30, 2026, the Commission shall submit to Congress a report on the review carried out under paragraph (1), and shall include in the report such recommendations as the Commission considers appropriate to streamline and improve the procedures which are the subject of the review.

SEC. 1613. REPEAL OF EXEMPTION OF ELECTION ASSISTANCE COMMISSION FROM CERTAIN GOVERNMENT CONTRACTING REQUIREMENTS.

(a) IN GENERAL.—Section 205 of the Help America Vote Act of 2002 (52 U.S.C. 20925) is amended by striking subsection (e).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contracts entered into by the Election Assistance Commission on or after the date of enactment of this Act.

PART 3—MISCELLANEOUS PROVISIONS

SEC. 1621. DEFINITION OF ELECTION FOR FEDERAL OFFICE.

(a) DEFINITION.—Title IX of the Help America Vote Act of 2002 (52 U.S.C. 21141 et seq.) is amended by adding at the end the following new section:

''SEC. 907. ELECTION FOR FEDERAL OFFICE DEFINED.

''For purposes of titles I through III, the term 'election for Federal office' means a general, special, primary, or runoff election for the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to title IX the following new item:

''Sec. 907. Election for Federal office defined.''.

SEC. 1622. NO EFFECT ON OTHER LAWS.

(a) IN GENERAL.—Except as specifically provided, nothing in this title may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) The Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. 20101 et seq.).

(3) The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(4) The National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.).

(5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(b) NO EFFECT ON PRECLEARANCE OR OTHER REQUIREMENTS UNDER VOTING RIGHTS ACT.—The approval by any person of a payment or grant application under this title, or any other action taken by any person under this title, shall not be considered to have any effect on requirements for preclearance under section 5 of the Voting Rights Act of 1965 (52 U.S.C. 10304) or any other requirements of such Act.

(c) NO EFFECT ON AUTHORITY OF STATES TO PROVIDE GREATER OPPORTUNITIES FOR VOTING.—Nothing in this title or the amendments made by this title may be construed to prohibit any State from enacting any law which provides greater opportunities for individuals to register to vote and to vote in elections for Federal office than are provided by this title and the amendments made by this title.

SEC. 1623. CLARIFICATION OF EXEMPTION FOR STATES WITHOUT VOTER REGISTRATION.

To the extent that any provision of this title or any amendment made by this title imposes a requirement on a State relating to registering individuals to vote in elections for Federal office, such provision shall not apply in the case of any State in which, under law that is in effect continuously on and after the date of enactment of this Act, there is no voter registration requirement for any voter in the State with respect to an election for Federal office.

SEC. 1624. CLARIFICATION OF EXEMPTION FOR STATES WHICH DO NOT COLLECT TELEPHONE INFORMATION.

(a) AMENDMENT TO HELP AMERICA VOTE ACT OF 2002.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(1), and section 1607(a), is amended—

(1) by redesignating sections 317 and 318 as sections 318 and 319, respectively; and

(2) by inserting after section 316 the following new section:

''SEC. 317. APPLICATION OF CERTAIN PROVISIONS TO STATES WHICH DO NOT COLLECT TELEPHONE INFORMATION.

''(a) IN GENERAL.—To the extent that any provision of this title imposes a requirement on a State or jurisdiction relating to contacting voters by telephone, such provision shall not apply in the case of any State which continuously on and after the date of enactment of this Act, does not collect telephone numbers for voters as part of voter registration in the State with respect to an election for Federal office.

''(b) EXCEPTION.—Subsection (a) shall not apply in any case in which the voter has voluntarily provided telephone information.''.

(b) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(3), and section 1607(b), is amended—

(1) by redesignating the items relating to sections 317 and 318 as relating to sections 318 and 319, respectively; and

(2) by inserting after the item relating to section 316 the following new item:

''Sec. 317. Application of certain provisions to States which do not collect telephone information.''.

Subtitle H—Democracy Restoration

SEC. 1701. SHORT TITLE.

This subtitle may be cited as the ''Democracy Restoration Act of 2024''.

SEC. 1702. FINDINGS.

Congress makes the following findings:

(1) The right to vote is the most basic constitutive act of citizenship. Regaining the right to vote reintegrates individuals with criminal convictions into free society, helping to enhance public safety.

(2) Article I, section 4, of the Constitution grants Congress ultimate supervisory power over Federal elections, an authority which has repeatedly been upheld by the United States Supreme Court.

(3) Basic constitutional principles of fairness and equal protection require an equal opportunity for citizens of the United States to vote in Federal elections. The right to vote may not be abridged or denied by the United States or by any State on account of race, color, gender, or previous condition of servitude. The 13th, 14th, 15th, 19th, 24th, and 26th Amendments to the Constitution empower Congress to enact measures to protect the right to vote in Federal elections. The 8th Amendment to the Constitution provides for no excessive bail to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

(4) There are 3 areas in which discrepancies in State laws regarding criminal convictions lead to unfairness in Federal elections—

(A) the lack of a uniform standard for voting in Federal elections leads to an unfair disparity and unequal participation in Federal elections based solely on where a person lives;

(B) laws governing the restoration of voting rights after a criminal conviction vary throughout the country and persons in some States can easily regain their voting rights while in other States persons effectively lose their right to vote permanently; and

(C) State disenfranchisement laws disproportionately impact racial and ethnic minorities.

(5) State disenfranchisement laws vary widely. Two States (Maine and Vermont) and the Commonwealth of Puerto Rico do not disenfranchise individuals with criminal convictions at all. In 2020, the District of Columbia re-enfranchised its citizens who are under the supervision of the Federal Bureau of Prisons. Twenty-five States disenfranchise certain individuals on felony probation or parole. During 2023, lawmakers in Minnesota and New Mexico expanded voting rights to citizens on felony probation and parole. In 11 States, a conviction for certain offenses can result in lifetime disenfranchisement.

(6) Several States deny the right to vote to individuals convicted of certain misdemeanors.

(7) In 2022, over 4,600,000 citizens of the United States, or about 1 in 50 adults in the United States, could not vote as a result of a felony conviction. Of the 4,600,000 citizens barred from voting then, only 23 percent were in prison or jail. By contrast, 75 percent of persons disenfranchised then resided in their communities while on probation or parole or after having completed their sentences. Approximately 2,200,000 citizens who had completed their sentences were disenfranchised due to restrictive State laws. Over 930,000 Floridians who completed their sentence remain disenfranchised because of a pay-to-vote requirement that was enacted by Florida lawmakers in 2019 to undermine the impact of a 2018 ballot initiative that eliminated the lifetime ban for persons with certain felony convictions. In 3 States—Alabama, Mississippi, and Tennessee—more than 8 percent of the total population is disenfranchised.

(8) In those States that disenfranchise individuals post-sentence, the right to vote can be regained in theory, but in practice this possibility is often granted in a non-uniform and potentially discriminatory manner. Disenfranchised individuals sometimes must either obtain a pardon or an order from the Governor or an action by the parole or pardon board, depending on the offense and State. Financial restrictions may also inhibit individuals who have completed their sentences from re-enfranchisement. Individuals convicted of a Federal offense often have additional barriers to regaining voting rights.

(9) Many felony disenfranchisement laws today derive directly from post-Civil War efforts to stifle the Fourteenth and Fifteenth Amendments. Between 1865 and 1880, at least 14 States—Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Mississippi, Missouri, Nebraska, New York, North Carolina, South Carolina, Tennessee, and Texas—enacted or expanded their felony disenfranchisement laws. One of the primary goals of these laws was to prevent African Americans from voting. Of the States that enacted or expanded their felony disenfranchisement laws during this post-Civil War period, at least 11 continue to preclude persons on felony probation or parole from voting.

(10) State disenfranchisement laws disproportionately impact racial and ethnic minorities. In recent years, African Americans have been imprisoned at over 5 times the rate of Whites. More than 6 percent of the voting-age African-American population, or 1,800,000 African Americans, are disenfranchised due to a felony conviction. In 9 States—Alabama (16 percent), Arizona

(13 percent), Florida (15 percent), Kentucky (15 percent), Mississippi (16 percent), South Dakota (14 percent), Tennessee (21 percent), Virginia (16 percent), and Wyoming (36 percent)—more than 1 in 8 African Americans are unable to vote because of a felony conviction, twice the national average for African Americans.

(11) Latino citizens are also disproportionately disenfranchised based upon their disproportionate representation in the criminal justice system. Although data on ethnicity in correctional populations are unevenly reported and undercounted in some States, a conservative estimate is that at least 506,000 Latino Americans or 1.7 percent of the voting-age population are disenfranchised. In 31 States Latinos are disenfranchised at a higher rate than the general population. In Arizona and Tennessee over 6 percent of Latino voters are disenfranchised due to a felony conviction.

(12) Women have been significantly impacted by mass incarceration since the early 1980s. Approximately 1,000,000 women were disenfranchised in 2022, comprising over 20 percent of the total disenfranchised population.

(13) Disenfranchising citizens who have been convicted of a criminal offense and who are living and working in the community serves no compelling State interest and hinders their rehabilitation and reintegration into society. Models of successful reentry for persons convicted of a crime emphasize the importance of community ties, feeling vested and integrated, and prosocial attitudes. Individuals with criminal convictions who succeed in avoiding recidivism are typically more likely to see themselves as law-abiding members of the community. Restoration of voting rights builds those qualities and facilitates reintegration into the community. That is why allowing citizens with criminal convictions who are living in a community to vote is correlated with a lower likelihood of recidivism. Restoration of voting rights thus reduces violence and protects public safety.

(14) State disenfranchisement laws can suppress electoral participation among eligible voters by discouraging voting among family and community members of disenfranchised persons. Future electoral participation by the children of disenfranchised parents may be impacted as well.

(15) The United States is one of the only Western democracies that permits the permanent denial of voting rights for individuals with felony convictions.

(16) The Eighth Amendment's prohibition on cruel and unusual punishments ''guarantees individuals the right not to be subjected to excessive sanctions.'' (*Roper* v. *Simmons*, 543 U.S. 551, 560 (2005)). That right stems from the basic precept of justice ''that punishment for crime should be graduated and proportioned to [the] offense.'' Id. (quoting *Weems* v. *United States*, 217 U.S. 349, 367 (1910)). As the Supreme Court has long recognized, ''[t]he concept of proportionality is central to the Eighth Amendment.'' (*Graham* v. *Florida*, 560 U.S. 48, 59 (2010)). Many State disenfranchisement laws are grossly disproportional to the offenses that lead to disenfranchisement and thus violate the bar on cruel and unusual punishments. For example, a number of States mandate lifetime disenfranchisement for a single felony conviction or just two felony convictions, even where the convictions were for non-violent offenses. In numerous other States, disenfranchisement can last years or even decades while individuals remain on probation or parole, often only because a person cannot pay their legal financial obligations. These kinds of extreme voting bans run afoul of the Eighth Amendment.

(17) The Twenty-Fourth Amendment provides that the right to vote ''shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.'' Section 2 of the Twenty-Fourth Amendment gives Congress the power to enforce this article by appropriate legislation. Court fines and fees that individuals must pay to have their voting rights restored constitute an ''other tax'' for purposes of the Twenty-Fourth Amendment. At least five States explicitly require the payment of fines and fees before individuals with felony convictions can have their voting rights restored. More than 20 other States effectively tie the right to vote to the payment of fines and fees, by requiring that individuals complete their probation or parole before their rights are restored. In these States, the nonpayment of fines and fees is a basis on which probation or parole can be extended. Moreover, these States sometimes do not record the basis on which an individual's probation or parole was extended, making it impossible to determine from the State's records whether non-payment of fines and fees is the reason that an individual remains on probation or parole. For these reasons, the only way to ensure that States do not deny the right to vote based solely on non-payment of fines and fees is to prevent States from conditioning voting rights on the completion of probation or parole.

SEC. 1703. RIGHTS OF CITIZENS.

The right of an individual who is a citizen of the United States to vote in any election for Federal office shall not be denied or abridged because that individual has been convicted of a criminal offense unless such individual is serving a felony sentence in a correctional institution or facility at the time of the election.

SEC. 1704. ENFORCEMENT.

(a) ATTORNEY GENERAL.—The Attorney General may, in a civil action, obtain such declaratory or injunctive relief as is necessary to remedy a violation of this subtitle.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—A person who is aggrieved by a violation of this subtitle may provide written notice of the violation to the chief election official of the State involved.

(2) RELIEF.—Except as provided in paragraph (3), if the violation is not corrected within 90 days after receipt of a notice under paragraph (1), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

(3) EXCEPTION.—If the violation occurred within 30 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State under paragraph (1) before bringing a civil action to obtain declaratory or injunctive relief with respect to the violation.

SEC. 1705. NOTIFICATION OF RESTORATION OF VOTING RIGHTS.

(a) STATE NOTIFICATION.—

(1) NOTIFICATION.—On the date determined under paragraph (2), each State shall notify in writing any individual who has been convicted of a criminal offense under the law of that State that such individual has the right to vote in an election for Federal office pursuant to the Democracy Restoration Act of 2024 and may register to vote in any such election and provide such individuals with any materials that are necessary to register to vote in any such election.

(2) DATE OF NOTIFICATION.—

(A) FELONY CONVICTION.—In the case of such an individual who has been convicted of a felony, the notification required under paragraph (1) shall be given on the date on which the individual—

(i) is sentenced to serve only a term of probation; or

(ii) is released from the custody of that State (other than to the custody of another State or the Federal Government to serve a term of imprisonment for a felony conviction).

(B) MISDEMEANOR CONVICTION.—In the case of such an individual who has been convicted of a misdemeanor, the notification required under paragraph (1) shall be given on the date on which such individual is sentenced by a State court.

(b) FEDERAL NOTIFICATION.—

(1) NOTIFICATION.—Any individual who has been convicted of a criminal offense under Federal law shall be notified in accordance with paragraph (2) that such individual has the right to vote in an election for Federal office pursuant to the Democracy Restoration Act of 2024 and may register to vote in any such election.

(2) DATE OF NOTIFICATION.—

(A) FELONY CONVICTION.—In the case of such an individual who has been convicted of a felony, the notification required under paragraph (1) shall be given—

(i) in the case of an individual who is sentenced to serve only a term of probation, by the Assistant Director for the Office of Probation and Pretrial Services of the Administrative Office of the United States Courts on the date on which the individual is sentenced; or

(ii) in the case of any individual committed to the custody of the Bureau of Prisons, by the Director of the Bureau of Prisons, during the period beginning on the date that is 6 months before such individual is released and ending on the date such individual is released from the custody of the Bureau of Prisons.

(B) MISDEMEANOR CONVICTION.—In the case of such an individual who has been convicted of a misdemeanor, the notification required under paragraph (1) shall be given on the date on which such individual is sentenced by a court established by an Act of Congress.

SEC. 1706. DEFINITIONS.

For purposes of this subtitle:

(1) CORRECTIONAL INSTITUTION OR FACILITY.—The term ''correctional institution or facility'' means any prison, penitentiary, jail, or other institution or facility for the confinement of individuals convicted of criminal offenses, whether publicly or privately operated, except that such term does not include any residential community treatment center (or similar public or private facility).

(2) ELECTION.—The term ''election'' means—

(A) a general, special, primary, or runoff election;

(B) a convention or caucus of a political party held to nominate a candidate;

(C) a primary election held for the selection of delegates to a national nominating convention of a political party; or

(D) a primary election held for the expression of a preference for the nomination of persons for election to the office of President.

(3) FEDERAL OFFICE.—The term ''Federal office'' means the office of President or Vice President of the United States, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States.

(4) PROBATION.—The term ''probation'' means probation, imposed by a Federal, State, or local court, with or without a condition on the individual involved concerning—

(A) the individual's freedom of movement;

(B) the payment of damages by the individual;

(C) periodic reporting by the individual to an officer of the court; or

(D) supervision of the individual by an officer of the court.

SEC. 1707. RELATION TO OTHER LAWS.

(a) STATE LAWS RELATING TO VOTING RIGHTS.—Nothing in this division shall be construed to prohibit any State from enacting any State law which affords the right to vote in any election for Federal office on terms less restrictive than those established by this division.

(b) CERTAIN FEDERAL ACTS.—The rights and remedies established by this subtitle are in addition to all other rights and remedies provided by law, and neither rights and remedies established by this subtitle shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the National Voter Registration Act (52 U.S.C. 20501), or the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.).

SEC. 1708. FEDERAL PRISON FUNDS.

No State, unit of local government, or other person may receive or use, to construct or otherwise improve a prison, jail, or other place of incarceration, any Federal funds unless that State, unit of local government, or person—

(1) is in compliance with section 1703; and

(2) has in effect a program under which each individual incarcerated in that person's jurisdiction who is a citizen of the United States is notified, upon release from such incarceration, of that individual's rights under section 1703.

SEC. 1709. EFFECTIVE DATE.

This subtitle shall apply to citizens of the United States voting in any election for Federal office held on or after the date of enactment of this Act.

Subtitle I—Voter Identification and Allowable Alternatives

SEC. 1801. REQUIREMENTS FOR VOTER IDENTIFICATION.

(a) REQUIREMENT TO PROVIDE IDENTIFICATION AS CONDITION OF RECEIVING BALLOT.—Section 303 of the Help America Vote Act of 2002 (52 U.S.C. 21083) is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and by inserting after subsection (b) the following new subsection:

''(c) VOTER IDENTIFICATION REQUIREMENTS.—

''(1) VOTER IDENTIFICATION REQUIREMENT DEFINED.—For purposes of this subsection:

''(A) IN GENERAL.—The term 'voter identification requirement' means any requirement that an individual desiring to vote in person in an election for Federal office present identification as a requirement to receive or cast a ballot in person in such election.

''(B) EXCEPTION.—Such term does not include any requirement described in subsection (b)(2)(A) as applied with respect to an individual described in subsection (b)(1).

''(2) IN GENERAL.—If a State or local jurisdiction has a voter identification requirement, the State or local jurisdiction—

''(A) shall treat any applicable identifying document as meeting such voter identification requirement;

''(B) notwithstanding the failure to present an applicable identifying document, shall treat an individual desiring to vote in person in an election for Federal office as meeting such voter identification requirement if—

''(i) the individual presents the appropriate State or local election official with a sworn written statement, signed in the presence of the official by an adult who has known the individual for not less than 6 months under penalty of perjury, attesting to the individual's identity;

''(ii) the official has known the individual for at least six months; or

''(iii) in the case of a resident of a State-licensed care facility, an employee of the facility confirms the individual's identity; and

''(C) shall permit any individual desiring to vote in an election for Federal office who does not present an applicable identifying document required under subparagraph (A) or qualify for an exception under subparagraph (B) to cast a provisional ballot with respect to the election under section 302(a) in accordance with paragraph (3).

''(3) RULES FOR PROVISIONAL BALLOT.—

''(A) IN GENERAL.—An individual may cast a provisional ballot pursuant to paragraph (2)(C) so long as the individual presents the appropriate State or local election official with a sworn written statement, signed by the individual under penalty of perjury, attesting to the individual's identity.

''(B) PROHIBITION ON OTHER REQUIREMENTS.—Except as otherwise provided this paragraph, a State or local jurisdiction may not impose any other additional requirement or condition with respect to the casting of a provisional ballot by an individual described in paragraph (2)(C).

''(C) COUNTING OF PROVISIONAL BALLOT.—In the case of a provisional ballot cast pursuant to paragraph (2)(C), the appropriate State or local election official shall not make a determination under section 302(a)(4) that the individual is eligible under State law to vote in the election unless—

''(i) the official determines that the signature on such statement matches the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; or

''(ii) not later than 10 days after casting the provisional ballot, the individual presents an applicable identifying document, either in person or by electronic methods, to the official and the official confirms the individual is the person identified on the applicable identifying document.

''(D) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES OR OTHER DEFECTS ON PROVISIONAL BALLOTS.—

''(i) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES.—If an individual casts a provisional ballot under this paragraph and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall—

''(I) as soon as practical, but not later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(aa) a discrepancy exists between the signature on such ballot and the signature of the individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; and

''(bb) if such discrepancy is not cured prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(II) cure such discrepancy and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods.

''(ii) NOTICE AND OPPORTUNITY TO CURE OTHER DEFECTS.—If an individual casts a provisional ballot under this paragraph with a defect which, if left uncured, would cause the ballot to not be counted, the appropriate State or local election official, prior to making a final determination as to the validity of the ballot, shall—

''(I) as soon as practical, but not later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(aa) the ballot has some defect; and

''(bb) if the individual does not cure the other defect prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(II) count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual cures the defect.

''(E) NO EXEMPTION.—Notwithstanding section 302(a), States described in section 4(b) of the National Voter Registration Act of 1993 shall be required to meet the requirements of paragraph (2)(C).

''(F) RULE OF CONSTRUCTION.—

''(i) IN GENERAL.—Nothing in paragraph (2)(C) or this paragraph shall be construed to prevent a State from permitting an individual who provides a sworn statement described in subparagraph (A) to cast a regular ballot in lieu of a provisional ballot.

''(ii) REGULAR BALLOT.—For purpose of this subparagraph, the term 'regular ballot' means a ballot which is cast and counted in same manner as ballots cast by individuals meeting the voter identification requirement (and all other applicable requirements with respect to voting in the election).

''(4) DEVELOPMENT AND USE OF PRE-PRINTED VERSION OF STATEMENT BY COMMISSION.—

''(A) IN GENERAL.—The Commission shall develop pre-printed versions of the statements described in paragraphs (2)(B)(i) and (3)(A) which include appropriate blank spaces for the provision of names and signatures.

''(B) PROVIDING PRE-PRINTED COPY OF STATEMENT.—Each State and jurisdiction that has a voter identification requirement shall make copies of the pre-printed version of the statement developed under subparagraph (A) available at polling places for use by individuals voting in person.

''(5) REQUIRED PROVISION OF IDENTIFYING DOCUMENTS.—

''(A) IN GENERAL.—Each State and jurisdiction that has a voter identification requirement shall—

''(i) for each individual who, on or after the applicable date, is registered to vote in such State or jurisdiction in elections for Federal office, provide the individual with a government-issued identification that meets the requirements of this subsection without charge;

''(ii) for each individual who, before the applicable date, was registered to vote in such State or jurisdiction in elections for Federal office but does not otherwise possess an identifying document, provide the individual with a government-issued identification that meets the requirements of this subsection without charge, so long as the State provides the individual with reasonable opportunities to obtain such identification prior to the date of the election; and

''(iii) for each individual who is provided with an identification under clause (i) or clause (ii), provide the individual with such

assistance without charge upon request as may be necessary to enable the individual to obtain and process any documentation necessary to obtain the identification.

''(B) APPLICABLE DATE.—For purposes of this paragraph, the term 'applicable date' means the later of—

''(i) January 1, 2026, or

''(ii) the first date after the date of enactment of this subsection for which the State or local jurisdiction has in effect a voter identification requirement.

''(6) APPLICABLE IDENTIFYING DOCUMENT.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'applicable identifying document' means, with respect to any individual, any document issued to such individual containing the individual's name.

''(B) INCLUDED DOCUMENTS.—The term 'applicable identifying document' shall include any of the following (so long as such document is not expired, as indicated by an expiration date included on the document):

''(i) A valid driver's license or an identification card issued by a State, the Federal Government, or a State or federally recognized Tribal government.

''(ii) A State-issued identification described in paragraph (4).

''(iii) A valid United States passport or passport card.

''(iv) A valid employee identification card issued by—

''(I) any branch, department, agency, or entity of the United States Government or of any State,

''(II) any State or federally recognized Tribal government, or

''(III) any county, municipality, board, authority, or other political subdivision of a State.

''(v) A valid student identification card issued by an institution of higher education, or a valid high school identification card issued by a State-accredited high school.

''(vi) A valid military identification card issued by the United States.

''(vii) A valid gun license or concealed carry permit.

''(viii) A valid Medicare card or Social Security card.

''(ix) A valid birth certificate.

''(x) A valid voter registration card.

''(xi) A valid hunting or fishing license issued by a State.

''(xii) A valid identification card issued to the individual by the Supplemental Nutrition Assistance (SNAP) program.

''(xiii) A valid identification card issued to the individual by the Temporary Assistance for Needy Families (TANF) program.

''(xiv) A valid identification card issued to the individual by Medicaid.

''(xv) A valid bank card or valid debit card.

''(xvi) A valid utility bill issued within six months of the date of the election.

''(xvii) A valid lease or mortgage document issued within six months of the date of the election.

''(xviii) A valid bank statement issued within six months of the date of the election.

''(xix) A valid health insurance card issued to the voter.

''(xx) Any other document containing the individual's name issued by—

''(I) any branch, department, agency, or entity of the United States Government or of any State;

''(II) any State or federally recognized tribal government; or

''(III) any county, municipality, board, authority, or other political subdivision of a State.

''(C) COPIES AND ELECTRONIC DOCUMENTS ACCEPTED.—The term 'applicable identifying document' includes—

''(i) any copy of a document described in subparagraph (A) or (B); and

''(ii) any document described in subparagraph (A) or (B) which is presented in electronic format.''.

(b) PAYMENTS TO STATES TO COVER COSTS OF REQUIRED IDENTIFICATION DOCUMENTS.—

(1) IN GENERAL.—The Election Assistance Commission shall make payments to States to cover the costs incurred in providing identifications under section 303(c)(5) of the Help America Vote Act of 2002, as amended by this section.

(2) AMOUNT OF PAYMENT.—The amount of the payment made to a State under this subsection for any year shall be equal to the amount of fees which would have been collected by the State during the year in providing the identifications required under section 303(c)(5) of such Act if the State had charged the usual and customary rates for such identifications, as determined on the basis of information furnished to the Commission by the State at such time and in such form as the Commission may require.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for payments under this subsection an aggregate amount of $5,000,000 for fiscal year 2026 and each of the 4 succeeding fiscal years.

(c) CONFORMING AMENDMENTS.—Section 303(b)(2)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(b)(2)(A)) is amended—

(1) in clause (i), by striking ''in person'' and all that follows and inserting ''in person, presents to the appropriate State or local election official an applicable identifying document (as defined in subsection (c)(6)); or''; and

(2) in clause (ii), by striking ''by mail'' and all that follows and inserting ''by mail, submits with the ballot an applicable identifying document (as so defined).''.

(d) DEFINITION.—For the purposes of this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(e) EFFECTIVE DATE.—Section 303(e) of such Act (52 U.S.C. 21083(d)(2)), as redesignated by subsection (a), is amended by adding at the end the following new paragraph:

''(3) VOTER IDENTIFICATION REQUIREMENTS.—Each State and jurisdiction shall be required to comply with the requirements of subsection (c) with respect to elections for Federal office held on or after January 1, 2026.''.

Subtitle J—Voter List Maintenance Procedures

PART 1—VOTER CAGING PROHIBITED

SEC. 1901. VOTER CAGING PROHIBITED.

(a) DEFINITIONS.—In this section—

(1) the term ''voter caging document'' means—

(A) a non-forwardable document sent by any person other than a State or local election official that is returned to the sender or a third party as undelivered or undeliverable despite an attempt to deliver such document to the address of a registered voter or applicant; or

(B) any document sent by any person other than a State or local election official with instructions to an addressee that the document be returned to the sender or a third party but is not so returned, despite an attempt to deliver such document to the address of a registered voter or applicant;

(2) the term ''voter caging list'' means a list of individuals compiled from voter caging documents; and

(3) the term ''unverified match list'' means any list produced by matching the information of registered voters or applicants for voter registration to a list of individuals who are ineligible to vote in the registrar's jurisdiction, by virtue of death, conviction, change of address, or otherwise, unless one of the pieces of information matched includes a signature, photograph, or unique identifying number ensuring that the information from each source refers to the same individual.

(b) PROHIBITION AGAINST VOTER CAGING.—No State or local election official shall prevent an individual from registering or voting in any election for Federal office, or permit in connection with any election for Federal office a formal challenge under State law to an individual's registration status or eligibility to vote, if the basis for such decision is evidence consisting of—

(1) a voter caging document or voter caging list;

(2) an unverified match list;

(3) an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material to an individual's eligibility to vote under section 2004(a)(2)(B) of the Revised Statutes (52 U.S.C. 10101(a)(2)(B)); or

(4) any other evidence so designated for purposes of this section by the Election Assistance Commission,

except that the election official may use such evidence if it is corroborated by independent evidence of the individual's ineligibility to register or vote.

(c) ENFORCEMENT.—

(1) CIVIL ENFORCEMENT.—

(A) IN GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this section.

(B) PRIVATE RIGHT OF ACTION.—

(i) IN GENERAL.—A person who is aggrieved by a violation of this section may provide written notice of the violation to the chief election official of the State involved.

(ii) RELIEF.—Except as provided in clause (iii), if the violation is not corrected within 90 days after receipt of a notice under clause (i), or within 20 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

(iii) EXCEPTION.—If the violation occurred within 30 days before the date of an election for Federal office, on the date of the election, or after the date of the election but prior to the completion of the canvass, the aggrieved person need not provide notice under clause (i) before bringing a civil action to obtain declaratory or injunctive relief with respect to the violation.

(2) CRIMINAL PENALTY.—Whoever knowingly challenges the eligibility of one or more individuals to register or vote or knowingly causes the eligibility of such individuals to be challenged in violation of this section with the intent that one or more eligible voters be disqualified, shall be fined under title 18, United States Code, or imprisoned not more than 1 year, or both, for each such violation. Each violation shall be a separate offense.

(d) NO EFFECT ON RELATED LAWS.—Nothing in this section is intended to override the protections of the National Voter Registration Act of 1993 (52 U.S.C. 20501 et seq.) or to affect the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

PART 2—SAVING ELIGIBLE VOTERS FROM VOTER PURGING

SEC. 1911. CONDITIONS FOR REMOVAL OF VOTERS FROM LIST OF REGISTERED VOTERS.

(a) CONDITIONS DESCRIBED.—The National Voter Registration Act of 1993 (52 U.S.C.

20501 et seq.) is amended by inserting after section 8 the following new section:

''SEC. 8A. CONDITIONS FOR REMOVAL OF VOTERS FROM OFFICIAL LIST OF REGISTERED VOTERS.

''(a) VERIFICATION ON BASIS OF OBJECTIVE AND RELIABLE EVIDENCE OF INELIGIBILITY.—

''(1) REQUIRING VERIFICATION.—Notwithstanding any other provision of this Act, a State may not remove the name of any registrant from the official list of voters eligible to vote in elections for Federal office in the State unless the State verifies, on the basis of objective and reliable evidence, that the registrant is ineligible to vote in such elections.

''(2) FACTORS NOT CONSIDERED AS OBJECTIVE AND RELIABLE EVIDENCE OF INELIGIBILITY.—For purposes of paragraph (1), except as permitted under section 8(d) after a notice described in paragraph (2) of such section has been sent, the following factors, or any combination thereof, shall not be treated as objective and reliable evidence of a registrant's ineligibility to vote:

''(A) The failure of the registrant to vote in any election.

''(B) The failure of the registrant to respond to any election mail, unless the election mail has been returned as undeliverable.

''(C) The failure of the registrant to take any other action with respect to voting in any election or with respect to the registrant's status as a registrant.

''(3) REMOVAL BASED ON OFFICIAL RECORDS.—

''(A) IN GENERAL.—Nothing in this section shall prohibit a State from removing a registrant from the official list of eligible voters in elections for Federal office if, on the basis of official records maintained by the State, a State or local election official knows, on the basis of objective and reliable evidence, that the registrant has—

''(i) died; or

''(ii) permanently moved out of the State and is no longer eligible to vote in the State.

''(B) OPPORTUNITY TO DEMONSTRATE ELIGIBILITY.—The State shall provide a voter removed from the official list of eligible voters in elections for Federal office under this paragraph an opportunity to demonstrate that the registrant is eligible to vote and be reinstated on the official list of eligible voters in elections for Federal office in the State.

''(b) NOTICE AFTER REMOVAL.—

''(1) NOTICE TO INDIVIDUAL REMOVED.—

''(A) IN GENERAL.—Not later than 48 hours after a State removes the name of a registrant from the official list of eligible voters, the State shall send notice of the removal to the former registrant, and shall include in the notice the grounds for the removal and information on how the former registrant may contest the removal or be reinstated, including a telephone number for the appropriate election official.

''(B) EXCEPTIONS.—Subparagraph (A) does not apply in the case of a registrant—

''(i) who sends written confirmation to the State that the registrant is no longer eligible to vote in the registrar's jurisdiction in which the registrant was registered; or

''(ii) who is removed from the official list of eligible voters by reason of the death of the registrant.

''(2) PUBLIC NOTICE.—Not later than 48 hours after conducting any general program to remove the names of ineligible voters from the official list of eligible voters (as described in section 8(a)(4)), the State shall disseminate a public notice through such methods as may be reasonable to reach the general public (including by publishing the notice in a newspaper of wide circulation and posting the notice on the websites of the appropriate election officials) that list maintenance is taking place and that registrants should check their registration status to ensure no errors or mistakes have been made. The State shall ensure that the public notice disseminated under this paragraph is in a format that is reasonably convenient and accessible to voters with disabilities, including voters who have low vision or are blind.''.

(b) CONDITIONS FOR TRANSMISSION OF NOTICES OF REMOVAL.—Section 8(d) of such Act (52 U.S.C. 20507(d)) is amended by adding at the end the following new paragraph:

''(4) A State may not transmit a notice to a registrant under this subsection unless the State obtains objective and reliable evidence (in accordance with the standards for such evidence which are described in section 8A(a)(2)) that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered.''.

(c) CONFORMING AMENDMENTS.—

(1) NATIONAL VOTER REGISTRATION ACT OF 1993.—Section 8(a) of such Act (52 U.S.C. 20507(a)) is amended—

(A) in paragraph (3), by striking ''provide'' and inserting ''subject to section 8A, provide''; and

(B) in paragraph (4), by striking ''conduct'' and inserting ''subject to section 8A, conduct''.

(2) HELP AMERICA VOTE ACT OF 2002.—Section 303(a)(4)(A) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)(4)(A)) is amended by striking ''registrants'' the second place it appears and inserting ''and subject to section 8A of such Act, registrants''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

Subtitle K—Severability

SEC. 1921. SEVERABILITY.

If any provision of this title or any amendment made by this title, or the application of any 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 by the holding.

SUBDIVISION 2—ELECTION INTEGRITY

TITLE II—PROHIBITING INTERFERENCE WITH VOTER REGISTRATION

SEC. 2001. PROHIBITING HINDERING, INTERFERING WITH, OR PREVENTING VOTER REGISTRATION.

(a) IN GENERAL.—Chapter 29 of title 18, United States Code, is amended by adding at the end the following new section:

''§ 612. Hindering, interfering with, or preventing registering to vote

''(a) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to corruptly hinder, interfere with, or prevent another person from registering to vote or to corruptly hinder, interfere with, or prevent another person from aiding another person in registering to vote.

''(b) ATTEMPT.—Any person who attempts to commit any offense described in subsection (a) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

''(c) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned not more than 5 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 29 of title 18, United States Code, is amended by adding at the end the following new item:

''612. Hindering, interfering with, or preventing registering to vote.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections held on or after the date of the enactment of this Act, except that no person may be found to have violated section 612 of title 18, United States Code (as added by subsection (a)), on the basis of any act occurring prior to the date of the enactment of this Act.

SEC. 2002. ESTABLISHMENT OF BEST PRACTICES.

(a) BEST PRACTICES.—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall develop and publish recommendations for best practices for States to use to deter and prevent violations of section 612 of title 18, United States Code (as added by section 2001), and section 12 of the National Voter Registration Act of 1993 (52 U.S.C. 20511) (relating to the unlawful interference with registering to vote, or voting, or attempting to register to vote or vote), including practices to provide for the posting of relevant information at polling places and voter registration agencies under such Act, the training of poll workers and election officials, and relevant educational materials. For purposes of this subsection, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(b) INCLUSION IN VOTER INFORMATION REQUIREMENTS.—Section 302(b)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21082(b)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(G) information relating to the prohibitions of section 612 of title 18, United States Code, and section 12 of the National Voter Registration Act of 1993 (52 U.S.C. 20511) (relating to the unlawful interference with registering to vote, or voting, or attempting to register to vote or vote), including information on how individuals may report allegations of violations of such prohibitions.''.

TITLE III—PREVENTING ELECTION SUBVERSION

Subtitle A—Restrictions on Removal of Election Administrators

SEC. 3001. RESTRICTIONS ON REMOVAL OF LOCAL ELECTION ADMINISTRATORS IN ADMINISTRATION OF ELECTIONS FOR FEDERAL OFFICE.

(a) FINDINGS.—Congress makes the following findings:

(1) Congress has explicit and broad authority to regulate the time, place, and manner of Federal elections under the Elections Clause under article I, section 4, clause 1 of the Constitution, including by establishing standards for the fair, impartial, and uniform administration of Federal elections by State and local officials.

(2) The Elections Clause was understood from the framing of the Constitution to contain ''words of great latitude,'' granting Congress broad power over Federal elections and a plenary right to preempt State regulation in this area. As made clear at the Constitutional Convention and the State ratification debates that followed, this grant of congressional authority was meant to ''insure free and fair elections,'' promote the uniform administration of Federal elections, and ''preserve and restore to the people their equal and sacred rights of election.''.

(3) In the founding debates on the Elections Clause, many delegates also argued that a broad grant of authority to Congress over Federal elections was necessary to check any ''abuses that might be made of the discretionary power'' to regulate the time, place, and manner of elections granted the

States, including attempts at partisan entrenchment, malapportionment, and the exclusion of political minorities. As the Supreme Court has recognized, the Elections Clause empowers Congress to ''protect the elections on which its existence depends,'' *Ex parte Yarbrough*, 110 U.S. 651, 658 (1884), and ''protect the citizen in the exercise of rights conferred by the Constitution of the United States essential to the healthy organization of the government itself,'' *id*. at 666.

(4) The Elections Clause grants Congress ''plenary and paramount jurisdiction over the whole subject'' of Federal elections, *Ex parte Siebold*, 100 U.S. 371, 388 (1879), allowing Congress to implement ''a complete code for congressional elections.'' *Smiley* v. *Holm*, 285 U.S. 355, 366 (1932). The Elections Clause, unlike, for example, the Commerce Clause, has been found to grant Congress the authority to compel States to alter their regulations as to Federal elections, id. at 366–67, even if these alterations would impose additional costs on the States to execute or enforce. *Association of Community Organizations for Reform Now v. Miller*, 129 F.3d 833 (6th Cir. 1997).

(5) The phrase ''manner of holding elections'' in the Elections Clause has been interpreted by the Supreme Court to authorize Congress to regulate all aspects of the Federal election process, including ''notices, registration, supervision of voting, protection of voters, prevention of fraud and corrupt practices, counting of votes, duties of inspectors and canvassers, and the making and publication of election returns.'' *Smiley* v. *Holm*, 285 U.S. 355, 366 (1932).

(6) The Supreme Court has recognized the broad ''substantive scope'' of the Elections Clause and upheld Federal laws promulgated thereunder regulating redistricting, voter registration, campaign finance, primary elections, recounts, party affiliation rules, and balloting.

(7) The authority of Congress under the Elections Clause also entails the power to ensure enforcement of its laws regulating Federal elections. ''[I]f Congress has the power to make regulations, it must have the power to enforce them.'' *Ex parte Siebold*, 100 U.S. 371, 387 (1879). The Supreme Court has noted that there can be no question that Congress may impose additional penalties for offenses committed by State officers in connection with Federal elections even if they differ from the penalties prescribed by State law for the same acts. *Id*. at 387–88.

(8) The fair and impartial administration of Federal elections by State and local officials is central to ''the successful working of this government,'' *Ex parte Yarbrough*, 110 U.S. 651, 666 (1884), and to ''protect the act of voting . . . and the election itself from corruption or fraud,'' *id*. at 661–62.

(9) The Elections Clause thus grants Congress the authority to ensure that the administration of Federal elections is free of political bias or discrimination and that election officials are insulated from political influence or other forms of coercion in discharging their duties in connection with Federal elections.

(10) In some States, oversight of local election administrators has been allocated to State Election Boards, or special commissions formed by those boards, that are appointed by the prevailing political party in a State, as opposed to nonpartisan or elected office holders.

(11) In certain newly enacted State policies, these appointed statewide election administrators have been granted wide latitude to suspend or remove local election administrators in cases where the statewide election administrators identify whatever the State deems to be a violation. There is no requirement that there be a finding of intent by the local election administrator to commit the violation.

(12) Local election administrators across the country can be suspended or removed according to different standards, potentially exposing them to different political pressures or biases that could result in uneven administration of Federal elections.

(13) The Elections Clause grants Congress the ultimate authority to ensure that oversight of State and local election administrators is fair and impartial in order to ensure equitable and uniform administration of Federal elections.

(b) RESTRICTION.—

(1) STANDARD FOR REMOVAL OF A LOCAL ELECTION ADMINISTRATOR.—A statewide election administrator may only suspend, remove, or relieve the duties of a local election administrator in the State with respect to the administration of an election for Federal office for inefficiency, neglect of duty, or malfeasance in office.

(2) PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—Any local election administrator suspended, removed, or otherwise relieved of duties in violation of paragraph (1) with respect to the administration of an election for Federal office or against whom any proceeding for suspension, removal, or relief from duty in violation of paragraph (1) with respect to the administration of an election for Federal office may be pending, may bring an action in an appropriate district court of the United States for declaratory or injunctive relief with respect to the violation. Any such action shall name as the defendant the statewide election administrator responsible for the adverse action. The district court shall, to the extent practicable, expedite any such proceeding.

(B) STATUTE OF LIMITATIONS.—Any action brought under this subsection must be commenced not later than one year after the date of the suspension, removal, relief from duties, or commencement of the proceeding to remove, suspend, or relieve the duties of a local election administrator with respect to the administration of an election for Federal office.

(3) ATTORNEY'S FEES.—In any action or proceeding under this subsection, the court may allow a prevailing plaintiff, other than the United States, reasonable attorney's fees as part of the costs, and may include expert fees as part of the attorney's fee. The term ''prevailing plaintiff'' means a plaintiff that substantially prevails pursuant to a judicial or administrative judgment or order, or an enforceable written agreement.

(4) REMOVAL OF STATE PROCEEDINGS TO FEDERAL COURT.—A local election administrator who is subject to an administrative or judicial proceeding for suspension, removal, or relief from duty by a statewide election administrator with respect to the administration of an election for Federal office may remove the proceeding to an appropriate district court of the United States. Any order remanding a case to the State court or agency from which it was removed under this subsection shall be reviewable by appeal or otherwise.

(5) RIGHT OF UNITED STATES TO INTERVENE.—

(A) NOTICE TO ATTORNEY GENERAL.—Whenever any administrative or judicial proceeding is brought to suspend, remove, or relieve the duties of any local election administrator by a statewide election administrator with respect to the administration of an election for Federal office, the statewide election administrator who initiated such proceeding shall deliver a copy of the pleadings instituting the proceeding to the Assistant Attorney General for the Civil Rights Division of the Department of Justice. The local election administrator against whom such proceeding is brought may also deliver such pleadings to the Assistant Attorney General.

(B) RIGHT TO INTERVENE.—The United States may intervene in any administrative or judicial proceeding brought to suspend, remove, or relieve the duties of any local election administrator by a statewide election administrator with respect to the administration of an election for Federal office and in any action initiated pursuant to paragraph (2) or in any removal pursuant to paragraph (4).

(6) REVIEW.—In reviewing any action brought under this section, a court of the United States shall not afford any deference to any State official, administrator, or tribunal that initiated, approved, adjudicated, or reviewed any administrative or judicial proceeding to suspend, remove, or otherwise relieve the duties of a local election administrator.

(c) REPORTS TO THE DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—Not later than 30 days after the suspension, removal, or relief of the duties of a local election administrator by a statewide election administrator, the Statewide election administrator shall submit to the Assistant Attorney General for the Civil Rights Divisions of the Department of Justice a report that includes the following information:

(A) A statement that a local election administrator was suspended, removed, or relieved of their duties.

(B) Information on whether the local election administrator was determined to be inefficient or to have engaged in neglect of duty or malfeasance in office.

(C) A description of the effect that the suspension, removal, or relief of the duties of the local election administrator will have on—

(i) the administration of elections and voters in the election jurisdictions for which the local election official provided such duties; and

(ii) the administration of elections and voters in the State at large.

(D) Demographic information about the local election official suspended, removed, or relieved and the jurisdictions for which such election official was providing the duties suspended, removed, or relieved.

(E) Such other information as requested by the Assistant Attorney General for the purposes of determining—

(i) whether such suspension, removal, or relief of duties was based on unlawful discrimination; and

(ii) whether such suspension, removal, or relief of duties was due to inefficiency, neglect of duty, or malfeasance in office.

(2) EXPEDITED REPORTING FOR ACTIONS WITHIN 30 DAYS OF AN ELECTION.—

(A) IN GENERAL.—If a suspension, removal, or relief of duties of a local administrator described in paragraph (1) occurs during the period described in subparagraph (B), the report required under paragraph (1) shall be submitted not later than 48 hours after such suspension, removal, or relief of duties.

(B) PERIOD DESCRIBED.—The period described in this subparagraph is any period which begins 60 days before the date of an election for Federal office and which ends 60 days after such election.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) ELECTION.—The term ''election'' has the meaning given the term in section 301(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(1)).

(2) FEDERAL OFFICE.—The term ''Federal office'' has the meaning given the term in section 301(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(3)).

(3) LOCAL ELECTION ADMINISTRATOR.—The term ''local election administrator'' means, with respect to a local jurisdiction in a State, the individual or entity responsible for the administration of elections for Federal office in the local jurisdiction.

(4) STATEWIDE ELECTION ADMINISTRATOR.—The term ''statewide election administrator'' means, with respect to a State—

(A) the individual or entity, including a State elections board, responsible for the administration of elections for Federal office in the State on a statewide basis; or

(B) a statewide legislative or executive entity with the authority to suspend, remove, or relieve a local election administrator.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to grant any additional authority to remove a local elections administrator beyond any authority provided under the law of the State.

Subtitle B—Increased Protections for Election Workers

SEC. 3101. HARASSMENT OF ELECTION WORKERS PROHIBITED.

(a) IN GENERAL.—Section 594 of title 18, United 6 States Code, is amended—

(1) by striking ''Whoever intimidates'' and inserting the following:

''(a) IN GENERAL.—Whoever intimidates''; and

(2) by adding at the end the following new subsection:

''(b) INTIMIDATION OF ELECTION WORKERS.—

''(1) IN GENERAL.—Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, coerce, any election worker with intent to impede, intimidate, or interfere with such election worker while engaged in the performance of official duties, or with intent to retaliate against such election worker on account of the performance of official duties shall be fined under this title or imprisoned not more than one year, or both

''(2) ELECTION WORKER.—For purposes of paragraph (1), the term 'election worker' means any individual who is an election official, poll worker, or an election volunteer in connection with an election for a Federal office.''.

(b) CONFORMING AMENDMENTS.—

(1) The heading of section 594 of title 18, United States Code, is amended by inserting ''**and election workers**'' after ''**voters**''.

(2) The item relating to section 594 in the table of sections for chapter 29 of title 18, United States Code, is amended by inserting ''and election workers'' after ''voters''.

SEC. 3102. PROTECTION OF ELECTION WORKERS.

(a) IN GENERAL.—Section 594(b) of title 18, United States Code, as amended by section 3101, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) PROHIBITION ON PUBLICATION OF PERSONAL INFORMATION.—Whoever knowingly makes restricted personal information about an election worker, or a member of the immediate family of that election worker, publicly available in connection with such election worker's official duties—

''(A) with the intent to threaten, intimidate, or incite the commission of a crime of violence against that election worker, or a member of the immediate family of that election worker; or

''(B) with the intent and knowledge that the restricted personal information will be used to threaten, intimidate, or facilitate the commission of a crime of violence against that election worker, or a member of the immediate family of that election worker,

shall be fined under this title, imprisoned not more than 1 year, or both.''.

(b) DEFINITIONS.—Paragraph (3) of section 594(b) of title 18, United States Code, as amended by section 3101 and redesignated by subsection (a), is amended—

(1) by striking all that precedes ''term'' and inserting the following:

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) ELECTION WORKER.—The''; and

(2) by adding at the end the following:

''(B) OTHER TERMS.—The terms 'restricted personal information', 'crime of violence', and 'immediate family' have the respective meanings given such terms under section 119.''.

Subtitle C—Prohibiting Deceptive Practices and Preventing Voter Intimidation

SEC. 3201. SHORT TITLE.

This subtitle may be cited as the ''Deceptive Practices and Voter Intimidation Prevention Act of 2024''.

SEC. 3202. PROHIBITION ON DECEPTIVE PRACTICES IN FEDERAL ELECTIONS.

(a) PROHIBITION.—Subsection (b) of section 2004 of the Revised Statutes (52 U.S.C. 10101(b)) is amended—

(1) by striking ''No person'' and inserting the following:

''(1) IN GENERAL.—No person''; and

(2) by inserting at the end the following new paragraphs:

''(2) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time, place, or manner of holding any election described in paragraph (5); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal, civil, or other legal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(3) FALSE STATEMENTS REGARDING PUBLIC ENDORSEMENTS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate, or cause to be communicated, a materially false statement about an endorsement, if such person—

''(i) knows such statement to be false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) DEFINITION OF 'MATERIALLY FALSE'.—For purposes of subparagraph (A), a statement about an endorsement is 'materially false' if, with respect to an upcoming election described in paragraph (5)—

''(i) the statement states that a specifically named person, political party, or organization has endorsed the election of a specific candidate for a Federal office described in such paragraph; and

''(ii) such person, political party, or organization has not endorsed the election of such candidate.

''(4) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—No person, whether acting under color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in paragraph (5), including by operating a polling place or ballot box that falsely purports to be an official location established for such an election by a unit of government.

''(5) ELECTION DESCRIBED.—An election described in this paragraph is any general, primary, runoff, or special election held solely or in part for the purpose of nominating or electing a candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a Territory or possession.''.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—Subsection (c) of section 2004 of the Revised Statutes (52 U.S.C. 10101(c)) is amended—

(A) by striking ''Whenever any person'' and inserting the following:

''(1) IN GENERAL.—Whenever any person''; and

(B) by adding at the end the following new paragraph:

''(2) CIVIL ACTION.—Any person aggrieved by a violation of this section may institute a civil action for preventive relief, including an application in a United States district court for a permanent or temporary injunction, restraining order, or other order. In any such action, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.''.

(2) CONFORMING AMENDMENTS.—Section 2004 of the Revised Statutes (52 U.S.C. 10101) is amended—

(A) in subsection (e), by striking ''subsection (c)'' and inserting ''subsection (c)(1)''; and

(B) in subsection (g), by striking ''subsection (c)'' and inserting ''subsection (c)(1)''.

(c) CRIMINAL PENALTIES.—

(1) DECEPTIVE ACTS.—Section 594 of title 18, United States Code, as amended by sections 3101 and 3102, is amended—

(A) in subsection (a), by striking ''at any election'' and inserting ''at any general, primary, runoff, or special election''; and

(B) by adding at the end the following new subsections:

''(c) DECEPTIVE ACTS.—

''(1) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, within 60 days before an election described in subsection (f), by any means, including by means of written, electronic, or telephonic communications, to communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in subsection (f).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time or place of holding any election described in subsection (e); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal, civil, or other legal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(d) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—

''(1) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to corruptly hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in subsection (f).

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(e) ATTEMPT.—Any person who attempts to commit any offense described in subsection (c)(1) or (d)(1) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

''(f) ELECTION DESCRIBED.—An election described in this subsection is any general, primary, runoff, or special election held solely or in part for the purpose of nominating or electing a candidate for the office of President, Vice President, Presidential elector, Senator, Member of the House of Representatives, or Delegate or Resident Commissioner to the Congress.''.

(2) MODIFICATIONS TO PENALTY FOR VOTER AND ELECTION WORKER INTIMIDATION.—Section 594(a) of title 18, United States Code, as amended by this Act, is amended by striking ''fined under this title or imprisoned not more than one year'' and inserting ''fined not more than $100,000, imprisoned for not more than 5 years''.

(3) SENTENCING GUIDELINES.—

(A) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 594 of title 18, United States Code, as amended by this section.

(B) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal Sentencing Guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(4) PAYMENTS FOR REFRAINING FROM VOTING.—Subsection (c) of section 11 of the Voting Rights Act of 1965 (52 U.S.C. 10307) is amended by striking ''either for registration to vote or for voting'' and inserting ''for registration to vote, for voting, or for not voting''.

SEC. 3203. CORRECTIVE ACTION.

(a) CORRECTIVE ACTION.—

(1) IN GENERAL.—If the Attorney General receives a credible report that materially false information has been or is being communicated in violation of paragraphs (2) and (3) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 3202(a), and if the Attorney General determines that State and local election officials have not taken adequate steps to promptly communicate accurate information to correct the materially false information, the Attorney General shall, pursuant to the written procedures and standards under subsection (b), communicate to the public, by any means, including by means of written, electronic, or telephonic communications, accurate information designed to correct the materially false information.

(2) COMMUNICATION OF CORRECTIVE INFORMATION.—Any information communicated by the Attorney General under paragraph (1)—

(A) shall—

(i) be accurate and objective;

(ii) consist of only the information necessary to correct the materially false information that has been or is being communicated; and

(iii) to the extent practicable, be by a means that the Attorney General determines will reach the persons to whom the materially false information has been or is being communicated; and

(B) shall not be designed to favor or disfavor any particular candidate, organization, or political party.

(b) WRITTEN PROCEDURES AND STANDARDS FOR TAKING CORRECTIVE ACTION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall publish written procedures and standards for determining when and how corrective action will be taken under this section.

(2) INCLUSION OF APPROPRIATE DEADLINES.—The procedures and standards under paragraph (1) shall include appropriate deadlines, based in part on the number of days remaining before the upcoming election.

(3) CONSULTATION.—In developing the procedures and standards under paragraph (1), the Attorney General shall consult with the Election Assistance Commission, State and local election officials, civil rights organizations, voting rights groups, voter protection groups, and other interested community organizations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this subtitle.

SEC. 3204. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after each general election for Federal office, the Attorney General shall submit to Congress a report compiling all allegations received by the Attorney General of deceptive practices described in paragraphs (2), (3), and (4) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 3202(a), relating to the general election for Federal office and any primary, runoff, or a special election for Federal office held in the 2 years preceding the general election.

(b) CONTENTS.—

(1) IN GENERAL.—Each report submitted under subsection (a) shall include—

(A) a description of each allegation of a deceptive practice described in subsection (a), including the geographic location, racial and ethnic composition, and language minority-group membership of the persons toward whom the alleged deceptive practice was directed;

(B) the status of the investigation of each allegation described in subparagraph (A);

(C) a description of each corrective action taken by the Attorney General under section 3203(a) in response to an allegation described in subparagraph (A);

(D) a description of each referral of an allegation described in subparagraph (A) to other Federal, State, or local agencies;

(E) to the extent information is available, a description of any civil action instituted under section 2004(c)(2) of the Revised Statutes (52 U.S.C. 10101(c)(2)), as added by section 3202(b), in connection with an allegation described in subparagraph (A); and

(F) a description of any criminal prosecution instituted under subsection (c) or (d) of section 594 of title 18, United States Code, as amended by section 3202(c), in connection with the receipt of an allegation described in subparagraph (A) by the Attorney General.

(2) EXCLUSION OF CERTAIN INFORMATION.—

(A) IN GENERAL.—The Attorney General shall not include in a report submitted under subsection (a) any information protected from disclosure by rule 6(e) of the Federal Rules of Criminal Procedure or any Federal criminal statute.

(B) EXCLUSION OF CERTAIN OTHER INFORMATION.—The Attorney General may determine that the following information shall not be included in a report submitted under subsection (a):

(i) Any information that is privileged.

(ii) Any information concerning an ongoing investigation.

(iii) Any information concerning a criminal or civil proceeding conducted under seal.

(iv) Any other nonpublic information that the Attorney General determines the disclosure of which could reasonably be expected to infringe on the rights of any individual or adversely affect the integrity of a pending or future criminal investigation.

(c) REPORT MADE PUBLIC.—On the date that the Attorney General submits the report under subsection (a), the Attorney General shall also make the report publicly available through the internet and other appropriate means.

SEC. 3205. PRIVATE RIGHTS OF ACTION BY ELECTION OFFICIALS.

Subsection (c)(2) of section 2004 of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 3202(b), is amended—

(1) by striking ''Any person'' and inserting the following:

''(A) IN GENERAL.—Any person''; and

(2) by adding at the end the following new subparagraph:

''(B) INTIMIDATION, ETC.—

''(i) IN GENERAL.—A person aggrieved by a violation of subsection (b)(1) shall include, without limitation, an officer responsible for maintaining order and preventing intimidation, threats, or coercion in or around a location at which voters may cast their votes. .

''(ii) CORRECTIVE ACTION.—If the Attorney General receives a credible report that conduct that violates or would be reasonably likely to violate subsection (b)(1) has occurred or is likely to occur, and if the Attorney General determines that State and local officials have not taken adequate steps to promptly communicate that such conduct would violate subsection (b)(1) or applicable State or local laws, the Attorney General shall communicate to the public, by any means, including by means of written, electronic, or telephonic communications, accurate information designed to convey the unlawfulness of proscribed conduct under subsection (b)(1) and the responsibilities of and resources available to State and local officials to prevent or correct such violations.''.

SEC. 3206. MAKING INTIMIDATION OF TABULATION, CANVASS, AND CERTIFICATION EFFORTS A CRIME.

Section 12(1) of the National Voter Registration Act (52 U.S.C. 20511) is amended—

(1) in subparagraph (B), by striking ''or'' at the end; and

(2) by adding at the end the following new subparagraph:

''(D) processing or scanning ballots, or tabulating, canvassing, or certifying voting results; or''.

Subtitle D—Protection of Election Records & Election Infrastructure

SEC. 3301. STRENGTHEN PROTECTIONS FOR FEDERAL ELECTION RECORDS.

(a) FINDING OF CONSTITUTIONAL AUTHORITY.—Congress finds as follows:

(1) Congress has explicit and broad authority to regulate the time, place, and manner

of Federal elections under the Elections Clause under article I, section 4, clause 1 of the Constitution, including by establishing standards for the fair, impartial, and uniform administration of Federal elections by State and local officials.

(2) The Elections Clause grants Congress ''plenary and paramount jurisdiction over the whole subject'' of Federal elections, *Ex parte Siebold*, 100 U.S. 371, 388 (1879), allowing Congress to implement ''a complete code for congressional elections.'' *Smiley* v. *Holm*, 285 U.S. 355, 366 (1932).

(3) The fair and impartial administration of Federal elections by State and local officials is central to ''the successful working of this government'', *Ex parte Yarbrough*, 110 U.S. 651, 666 (1884), and to ''protect the act of voting . . . and the election itself from corruption or fraud'', *id*. at 661–62.

(4) The Elections Clause thus grants Congress the authority to strengthen the protections for Federal election records.

(5) Congress has intervened in the electoral process to protect the health and legitimacy of federal elections, including for example, Congress' enactment of the Help America Vote Act of 2002 as a response to several issues that occurred during the 2000 Presidential election. *See* ''The Elections Clause: Constitutional Interpretation and Congressional Exercise'', Hearing Before Comm. on House Administration, 117th Cong. (2021), written testimony of Vice Dean Franita Tolson at 3.

(b) STRENGTHENING OF PROTECTIONS.—Section 301 of the Civil Rights Act of 1960 (52 U.S.C. 20701) is amended—

(1) by striking ''Every officer'' and inserting the following:

''(a) IN GENERAL.—Every officer'';

(2) by striking ''records and papers'' and inserting ''records (including electronic records), papers, and election equipment'' each place the term appears;

(3) by striking ''record or paper'' and inserting ''record (including electronic record), paper, or election equipment'';

(4) by inserting ''(but only under the direct administrative supervision of an election officer). Notwithstanding any other provision of this section, the paper record of a voter's cast ballot shall remain the official record of the cast ballot for purposes of this title'' after ''upon such custodian'';

(5) by inserting '', or acts in reckless disregard of,'' after ''fails to comply with''; and

(6) by inserting after subsection (a) the following:

''(b) ELECTION EQUIPMENT.—The requirement in subsection (a) to preserve election equipment shall not be construed to prevent the reuse of such equipment in any election that takes place within twenty-two months of a Federal election described in subsection (a), provided that all electronic records, files, and data from such equipment related to such Federal election are retained and preserved.

''(c) GUIDANCE.—Not later than 1 year after the date of enactment of this subsection, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, in consultation with the Election Assistance Commission and the Attorney General, shall issue guidance regarding compliance with subsections (a) and (b), including minimum standards and best practices for retaining and preserving records and papers in compliance with subsection (a). Such guidance shall also include protocols for enabling the observation of the preservation, security, and transfer of records and papers described in subsection (a) by the Attorney General and by a representative of each party, as defined by the Attorney General.''.

(c) PROTECTING THE INTEGRITY OF PAPER BALLOTS IN FEDERAL ELECTIONS.—

(1) PROTOCOLS AND CONDITIONS FOR INSPECTION OF BALLOTS.—Not later than 60 days after the date of the enactment of this Act, the Attorney General, in consultation with the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security and the Election Assistance Commission, shall promulgate regulations establishing the election security protocols and conditions, including appropriate chain of custody and proper preservation practices, which will apply to the inspection of the paper ballots which are required to be retained and preserved under section 301 of the Civil Rights Act of 1960 (52 U.S.C. 20701).

(2) CAUSE OF ACTION FOR INJUNCTIVE AND DECLARATORY RELIEF.—The Attorney General may bring an action in an appropriate district court of the United States for such declaratory or injunctive relief as may be necessary to ensure compliance with the regulations promulgated under subsection (a).

SEC. 3302. PENALTIES; INSPECTION; NONDISCLOSURE; JURISDICTION.

(a) EXPANSION OF SCOPE OF PENALTIES FOR INTERFERENCE.—Section 302 of the Civil Rights Act of 1960 (52 U.S.C. 20702) is amended—

(1) by inserting '', or whose reckless disregard of section 301 results in the theft, destruction, concealment, mutilation, or alteration of,'' after ''or alters''; and

(2) by striking ''record or paper'' and inserting ''record (including electronic record), paper, or election equipment''.

(b) INSPECTION, REPRODUCTION, AND COPYING.—Section 303 of such Act (52 U.S.C. 20703) is amended by striking ''record or paper'' each place it appears and inserting ''record (including electronic record), paper, or election equipment''.

(c) NONDISCLOSURE.—Section 304 of such Act (52 U.S.C. 20704) is amended by striking ''record or paper'' and inserting ''record (including electronic record), paper, or election equipment''.

(d) JURISDICTION TO COMPEL PRODUCTION.—Section 305 of such Act (52 U.S.C. 20705) is amended by striking ''record or paper'' each place it appears and inserting ''record (including electronic record), paper, or election equipment''.

SEC. 3303. JUDICIAL REVIEW TO ENSURE COMPLIANCE.

Title III of the Civil Rights Act of 1960 (52 U.S.C. 20701 et seq.) is amended by adding at the end the following:

''SEC. 307. JUDICIAL REVIEW TO ENSURE COMPLIANCE.

''(a) CAUSE OF ACTION.—The Attorney General, a representative of the Attorney General, or a candidate in a Federal election described in section 301 may bring an action in the district court of the United States for the judicial district in which a record or paper is located, or in the United States District Court for the District of Columbia, to compel compliance with the requirements of section 301.

''(b) DUTY TO EXPEDITE.—It shall be the duty of the court to advance on the docket, and to expedite to the greatest possible extent the disposition of, the action and any appeal under this section.''.

Subtitle E—Judicial Protection of the Right to Vote and Non-partisan Vote Tabulation

PART 1—RIGHT TO VOTE ACT

SEC. 3401. SHORT TITLE.

This part may be cited as the ''Right to Vote Act''.

SEC. 3402. UNDUE BURDENS ON THE ABILITY TO VOTE IN ELECTIONS FOR FEDERAL OFFICE PROHIBITED.

(a) IN GENERAL.—Every citizen of legal voting age shall have the right to vote and have one's vote counted in elections for Federal office free from any burden on the time, place, or manner of voting, as set forth in subsections (b) and (c).

(b) RETROGRESSION.—A government may not diminish the ability to vote or to have one's vote counted in an election for Federal office unless the law, rule, standard, practice, procedure, or other governmental action causing the diminishment is the least restrictive means of significantly furthering an important, particularized government interest.

(c) SUBSTANTIAL IMPAIRMENT.—

(1) IN GENERAL.—A government may not substantially impair the ability of an individual to vote or to have one's vote counted in an election for Federal office unless the law, rule, standard, practice, procedure, or other governmental action causing the impairment significantly furthers an important, particularized governmental interest.

(2) SUBSTANTIAL IMPAIRMENT.—For purposes of this section, a substantial impairment is a non-trivial impairment that makes it more difficult to vote or to have one's vote counted than if the law, rule, standard, practice, procedure, or other governmental action had not been adopted or implemented. An impairment may be substantial even if the voter or other similarly situated voters are able to vote or to have one's vote counted notwithstanding the impairment.

SEC. 3403. JUDICIAL REVIEW.

(a) CIVIL ACTION.—An action challenging a violation of this part may be brought by any aggrieved person or the Attorney General in the district court for the District of Columbia, or the district court for the district in which the violation took place or where any defendant resides or does business, at the selection of the plaintiff, to obtain all appropriate relief, whether declaratory or injunctive, or facial or as-applied. Process may be served in any district where a defendant resides, does business, or may be found.

(b) STANDARDS TO BE APPLIED.—A courts adjudicating an action brought under this part shall apply the following standards:

(1) RETROGRESSION.—

(A) A plaintiff establishes a prima facie case of retrogression by demonstrating by a preponderance of the evidence that a rule, standard, practice, procedure, or other governmental action diminishes the ability, or otherwise makes it more difficult, to vote, or have one's vote counted.

(B) If a plaintiff establishes a prima facie case as described in subparagraph (A), the government shall be provided an opportunity to demonstrate by clear and convincing evidence that the diminishment is necessary to significantly further an important, particularized governmental interest.

(C) If the government meets its burden under subparagraph (B), the challenged rule, standard, practice, procedure, or other governmental action shall nonetheless be deemed invalid if the plaintiff demonstrates by a preponderance of the evidence that the government could adopt or implement a less-restrictive means of furthering the particularized important governmental interest.

(2) SUBSTANTIAL IMPAIRMENT.—

(A) A plaintiff establishes a prima facie case of substantial impairment by demonstrating by a preponderance of the evidence that a rule, standard, practice, procedure, or other governmental action is a non-trivial impairment of the ability to vote or to have one's vote counted.

(B) If a plaintiff establishes a prima facie case as described in subparagraph (A), the government shall be provided an opportunity to demonstrate by clear and convincing evidence that the impairment significantly furthers an important, particularized governmental interest.

(c) DUTY TO EXPEDITE.—It shall be the duty of the court to advance on the docket and to expedite to the greatest reasonable extent the disposition of the action and appeal under this section.

(d) ATTORNEY'S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended—

(1) by striking ''or section 40302'' and inserting ''section 40302''; and

(2) by striking '', the court'' and inserting '', or section 3402(a) of the Freedom to Vote Act, the court''.

SEC. 3404. DEFINITIONS.

In this part—

(1) the term ''covered entity'' means the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands;

(2) the terms ''election'' and ''Federal office'' have the meanings given such terms in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101);

(3) the term ''have one's vote counted'' means all actions necessary to have a vote included in the appropriate totals of votes cast with respect to candidates for public office for which votes are received in an election and reflected in the certified vote totals by any government responsible for tallying or certifying the results of elections for Federal office;

(4) the term ''government'' includes a branch, department, agency, instrumentality, and official (or other person acting under color of law) of the United States, of any State, of any covered entity, or of any political subdivision of any State or covered entity; and

(5) the term ''vote'' means all actions necessary to make a vote effective, including registration or other action required by law as a prerequisite to voting, casting a ballot.

SEC. 3405. RULES OF CONSTRUCTION.

(a) BURDENS NOT AUTHORIZED.—Nothing in this part may be construed to authorize a government to burden the right to vote in elections for Federal office.

(b) OTHER RIGHTS AND REMEDIES.—Nothing in this part shall be construed to alter any rights existing under a State constitution or the Constitution of the United States, or to limit any remedies for any other violations of Federal, State, or local law.

(c) OTHER PROVISIONS OF THIS ACT.—Nothing in this subtitle shall be construed as affecting section 1703 of this Act (relating to rights of citizens).

(d) OTHER DEFINITIONS.—The definitions set forth in section 3404 shall apply only to this part and shall not be construed to amend or interpret any other provision of law.

SEC. 3406. SEVERABILITY.

If any provision of this part or the application of such provision to any citizen or circumstance is held to be unconstitutional, the remainder of this part and the application of the provisions of such to any citizen or circumstance shall not be affected thereby.

SEC. 3407. EFFECTIVE DATE.

(a) ACTIONS BROUGHT FOR RETROGRESSION.—Subsection (b) of section 3402 shall apply to any law, rule, standard, practice, procedure, or other governmental action that was not in effect during the November 2022 general election for Federal office but that will be in effect with respect to elections for Federal office occurring on or after January 1, 2024, even if such law, rule, standard, practice, procedure, or other governmental action is already in effect as of the date of the enactment of this Act.

(b) ACTIONS BROUGHT FOR SUBSTANTIAL IMPAIRMENT.—Subsection (c) of section 3402 shall apply to any law, rule, standard, practice, procedure, or other governmental action in effect with respect to elections for Federal office occurring on or after January 1, 2024.

PART 2—CLARIFYING JURISDICTION OVER ELECTION DISPUTES

SEC. 3411. FINDINGS.

In addition to providing for the statutory rights described in part 1, including judicial review under section 3403, Congress makes the following findings regarding enforcement of constitutional provisions protecting the right to vote:

(1) It is a priority of Congress to ensure that pending and future disputes arising under the Fifteenth Amendment or any other constitutional provisions protecting the right to vote may be heard in Federal court.

(2) The Fifth Circuit has misconstrued section 1344 of title 28, United States Code, to deprive Federal courts of subject matter jurisdiction in certain classes of cases that implicate voters' constitutional rights, *see, e.g., Keyes* v. *Gunn*, 890 F.3d 232 (5th Cir. 2018), cert. denied, 139 S. Ct. 434 (2018); *Johnson* v. *Stevenson*, 170 F.2d 108 (5th Cir. 1948).

(3) Section 1344 of such title is also superfluous in light of other broad grants of Federal jurisdiction. *See, e.g.*, section 1331, section 1343(a)(3), and section 1343(a)(4) of title 28, United States Code.

(4) Congress therefore finds that a repeal of section 1344 is appropriate and that such repeal will ensure that Federal courts nationwide are empowered to enforce voters' constitutional rights in Federal elections and State legislative elections.

SEC. 3412. CLARIFYING AUTHORITY OF UNITED STATES DISTRICT COURTS TO HEAR CASES.

(a) IN GENERAL.—Section 1344 of title 28, United States Code, is repealed.

(b) CONTINUING AUTHORITY OF COURTS TO HEAR CASES UNDER OTHER EXISTING AUTHORITY.—Nothing in this part may be construed to affect the authority of district courts of the United States to exercise jurisdiction pursuant to existing provisions of law, including sections 1331, 1343(a)(3), and 1343(a)(4) of title 28, United States Code, in any cases arising under the Constitution, laws, or treaties of the United States concerning the administration, conduct, or results of an election for Federal office or state legislative office.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 85 of title 28, United States Code, is amended by striking the item relating to section 1344.

SEC. 3413. EFFECTIVE DATE.

This part and the amendments made by this part shall apply to actions brought on or after the date of the enactment of this Act and to actions brought before the date of enactment of this Act which are pending as of such date.

Subtitle F—Poll Worker Recruitment and Training

SEC. 3501. GRANTS TO STATES FOR POLL WORKER RECRUITMENT AND TRAINING.

(a) GRANTS BY ELECTION ASSISTANCE COMMISSION.—

(1) IN GENERAL.—The Election Assistance Commission (hereafter referred to as the ''Commission'') shall, subject to the availability of appropriations provided to carry out this section, make a grant to each eligible State for recruiting and training individuals to serve as poll workers on dates of elections for public office.

(2) USE OF COMMISSION MATERIALS.—In carrying out activities with a grant provided under this section, the recipient of the grant shall use the manual prepared by the Commission on successful practices for poll worker recruiting, training, and retention as an interactive training tool, and shall develop training programs with the participation and input of experts in adult learning.

(3) ACCESS AND CULTURAL CONSIDERATIONS.—The Commission shall ensure that the manual described in paragraph (2) provides training in methods that will enable poll workers to provide access and delivery of services in a culturally competent manner to all voters who use their services, including those with limited English proficiency, diverse cultural and ethnic backgrounds, disabilities, and regardless of gender, sexual orientation, or gender identity. These methods must ensure that each voter will have access to poll worker services that are delivered in a manner that meets the unique needs of the voter.

(b) REQUIREMENTS FOR ELIGIBILITY.—

(1) APPLICATION.—Each State that desires to receive a payment under this section shall submit an application for the payment to the Commission at such time and in such manner and containing such information as the Commission shall require.

(2) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall—

(A) describe the activities for which assistance under this section is sought;

(B) provide assurances that the funds provided under this section will be used to supplement and not supplant other funds used to carry out the activities;

(C) provide assurances that the State will furnish the Commission with information on the number of individuals who served as poll workers after recruitment and training with the funds provided under this section;

(D) provide assurances that the State will dedicate poll worker recruitment efforts with respect to—

(i) youth and minors, including by recruiting at institutions of higher education and secondary education; and

(ii) diversity, including with respect to race, ethnicity, and disability; and

(E) provide such additional information and certifications as the Commission determines to be essential to ensure compliance with the requirements of this section.

(c) AMOUNT OF GRANT.—

(1) IN GENERAL.—The amount of a grant made to a State under this section shall be equal to the product of—

(A) the aggregate amount made available for grants to States under this section; and

(B) the voting age population percentage for the State.

(2) VOTING AGE POPULATION PERCENTAGE DEFINED.—In paragraph (1), the ''voting age population percentage'' for a State is the quotient of—

(A) the voting age population of the State (as determined on the basis of the most recent information available from the Bureau of the Census); and

(B) the total voting age population of all States (as determined on the basis of the most recent information available from the Bureau of the Census).

(d) REPORTS TO CONGRESS.—

(1) REPORTS BY RECIPIENTS OF GRANTS.—Not later than 6 months after the date on which the final grant is made under this section, each recipient of a grant shall submit a report to the Commission on the activities conducted with the funds provided by the grant.

(2) REPORTS BY COMMISSION.—Not later than 1 year after the date on which the final grant is made under this section, the Commission shall submit a report to Congress on the grants made under this section and the activities carried out by recipients with the grants, and shall include in the report such

recommendations as the Commission considers appropriate.

(e) FUNDING.—

(1) CONTINUING AVAILABILITY OF AMOUNT APPROPRIATED.—Any amount appropriated to carry out this section shall remain available without fiscal year limitation until expended.

(2) ADMINISTRATIVE EXPENSES.—Of the amount appropriated for any fiscal year to carry out this section, not more than 3 percent shall be available for administrative expenses of the Commission.

SEC. 3502. STATE DEFINED.

In this subtitle, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Subtitle G—Preventing Poll Observer Interference

SEC. 3601. PROTECTIONS FOR VOTERS ON ELECTION DAY.

(a) REQUIREMENTS.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

''SEC. 303A. VOTER PROTECTION REQUIREMENTS.

''(a) REQUIREMENTS FOR CHALLENGES BY PERSONS OTHER THAN ELECTION OFFICIALS.—

''(1) REQUIREMENTS FOR CHALLENGES.—No person, other than a State or local election official, shall submit a formal challenge to an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office unless that challenge is supported by personal knowledge with respect to each individual challenged regarding the grounds for ineligibility which is—

''(A) documented in writing; and

''(B) subject to an oath or attestation under penalty of perjury that the challenger has a good faith factual basis to believe that the individual who is the subject of the challenge is ineligible to register to vote or vote in that election, except a challenge which is based on the race, ethnicity, or national origin of the individual who is the subject of the challenge may not be considered to have a good faith factual basis for purposes of this paragraph.

''(2) PROHIBITION ON CHALLENGES ON OR NEAR DATE OF ELECTION.—No person, other than a State or local election official, shall be permitted—

''(A) to challenge an individual's eligibility to vote in an election for Federal office on the date of the election on grounds that could have been made in advance of such date; or

''(B) to challenge an individual's eligibility to register to vote in an election for Federal office or to vote in an election for Federal office less than 10 days before the election unless the individual registered to vote less than 20 days before the election.

''(b) BUFFER RULE.—

''(1) IN GENERAL.—A person who is serving as a poll observer with respect to an election for Federal office may not come within 8 feet of—

''(A) a voter or ballot at a polling location during any period of voting (including any period of early voting) in such election; or

''(B) a ballot at any time during which the processing, scanning, tabulating, canvassing, or certifying voting results is occurring.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) may be construed to limit the ability of a State or local election official to require poll observers to maintain a distance greater than 8 feet.

''(c) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office occurring on and after January 1, 2026.''.

(b) CONFORMING AMENDMENT RELATING TO VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102, 1103, 1104, and 1303, is amended by striking ''and 313'' and inserting ''313, and 303A''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 303 the following:

''Sec. 303A. Voter protection requirements.''.

Subtitle H—Preventing Restrictions on Food and Beverages

SEC. 3701. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This subtitle may be cited as the ''Voters' Access to Water Act''.

(b) FINDINGS.—Congress finds the following:

(1) States have a legitimate interest in prohibiting electioneering at or near polling places, and each State has some form of restriction on political activities near polling places when voting is taking place.

(2) In recent elections, voters have waited in unacceptably long lines to cast their ballot. During the 2018 midterm election, more than 3,000,000 voters were made to wait longer than the acceptable threshold for wait times set by the Presidential Commission on Election Administration, including many well-documented cases where voters were made to wait for several hours. A disproportionate number of those who had to wait long periods were Black or Latino voters, who were more likely than White voters to wait in the longest lines on Election Day.

(3) Allowing volunteers to donate food and water to all people waiting in line at a polling place, regardless of the voters' political preference and without engaging in electioneering activities or partisan advocacy, helps ensure Americans who face long lines at their polling place can still exercise their Constitutional right to vote, without risk of dehydration, inadequate food, discomfort, and risks to health.

SEC. 3702. PROHIBITING RESTRICTIONS ON DONATIONS OF FOOD AND BEVERAGES AT POLLING STATIONS.

(a) REQUIREMENT.—Subtitle A of title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 1031(a), section 1044(a), section 1101(a), section 1102(a), section 1103(a), section 1104(a), section 1201(a), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(1), section 1607(a), and section 1624(a) is amended—

(1) by redesignating sections 318 and 319 as sections 319 and 320, respectively; and

(2) by inserting after section 317 the following new section:

''SEC. 318. PROHIBITING STATES FROM RESTRICTING DONATIONS OF FOOD AND BEVERAGES AT POLLING STATIONS.

''(a) PROHIBITION.—Subject to the exception in subsection (b), a State may not impose any restriction on the donation of food and nonalcoholic beverages to persons outside of the entrance to the building where a polling place for a Federal election is located, provided that such food and nonalcoholic beverages are distributed without regard to the electoral participation or political preferences of the recipients.

''(b) EXCEPTION.—A State may require persons distributing food and nonalcoholic beverages outside the entrance to the building where a polling place for a Federal election is located to refrain from political or electioneering activity.

''(c) EFFECTIVE DATE.—This section shall apply with respect to elections for Federal office occurring on and after January 1, 2026.''.

(b) VOLUNTARY GUIDANCE.—Section 321(b)(4) of such Act (52 U.S.C. 21101(b)), as added and redesignated by section 1101(b) and as amended by sections 1102, 1103, 1104, 1303, and 3601(b), is amended by striking ''and 303A'' and inserting ''303A, and 317''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act, as amended by section 1031(c), section 1044(b), section 1101(c), section 1102(c), section 1103(a), section 1104(c), section 1201(c), section 1301(a), section 1302(a), section 1303(b), section 1305(a), section 1606(a)(3), section 1607(b), and section 1624(b) is amended—

(1) by redesignating the items relating to sections 318 and 319 as relating to sections 319 and 320, respectively; and

(2) by inserting after the item relating to section 317 the following new item:

''Sec. 318. Prohibiting States from restricting donations of food and beverages at polling stations.''.

Subtitle I—Establishing Duty to Report Foreign Election Interference

SEC. 3801. FINDINGS RELATING TO ILLICIT MONEY UNDERMINING OUR DEMOCRACY.

Congress finds the following:

(1) Criminals, terrorists, and corrupt government officials frequently abuse anonymously held Limited Liability Companies (LLCs), also known as ''shell companies,'' to hide, move, and launder the dirty money derived from illicit activities such as trafficking, bribery, exploitation, and embezzlement. Ownership and control of the finances that run through shell companies are obscured to regulators and law enforcement because little information is required and collected when establishing these entities.

(2) The public release of the ''Panama Papers'' in 2016 and the ''Paradise Papers'' in 2017 revealed that these shell companies often purchase and sell United States real estate. United States anti-money laundering laws do not apply to cash transactions involving real estate effectively concealing the beneficiaries and transactions from regulators and law enforcement.

(3) Since the Supreme Court's decisions in *Citizens United* v. *Federal Election Commission*, 558 U.S. 310 (2010), billions of dollars have flowed into super PACs through LLCs whose funders are anonymous or intentionally obscured. Criminal investigations have uncovered LLCs that were used to hide illegal campaign contributions from foreign criminal fugitives, to advance international influence-buying schemes, and to conceal contributions from donors who were already under investigation for bribery and racketeering. Voters have no way to know the true sources of the money being routed through these LLCs to influence elections, including whether any of the funds come from foreign or other illicit sources.

(4) Congress should curb the use of anonymous shell companies for illicit purposes by requiring United States companies to disclose their beneficial owners, strengthening anti-money laundering and counter-terrorism finance laws.

(5) Congress should examine the money laundering and terrorist financing risks in the real estate market, including the role of anonymous parties, and review legislation to address any vulnerabilities identified in this sector.

(6) Congress should examine the methods by which corruption flourishes and the means to detect and deter the financial misconduct that fuels this driver of global instability. Congress should monitor government efforts to enforce United States anticorruption laws and regulations.

SEC. 3802. FEDERAL CAMPAIGN REPORTING OF FOREIGN CONTACTS.

(a) INITIAL NOTICE.—

(1) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE OF REPORTABLE FOREIGN CONTACTS.—

''(1) COMMITTEE OBLIGATION TO NOTIFY.—Not later than 1 week after a reportable foreign contact, each political committee shall notify the Federal Bureau of Investigation and the Commission of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact. The Federal Bureau of Investigation, not later than 1 week after receiving a notification from a political committee under this paragraph, shall submit to the political committee, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate written or electronic confirmation of receipt of the notification.

''(2) INDIVIDUAL OBLIGATION TO NOTIFY.—Not later than 3 days after a reportable foreign contact—

''(A) each candidate and each immediate family member of a candidate shall notify the treasurer or other designated official of the principal campaign committee of such candidate of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact; and

''(B) each official, employee, or agent of a political committee shall notify the treasurer or other designated official of the committee of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

''(3) REPORTABLE FOREIGN CONTACT.—In this subsection:

''(A) IN GENERAL.—The term 'reportable foreign contact' means any direct or indirect contact or communication that—

''(i) is between—

''(I) a candidate, an immediate family member of the candidate, a political committee, or any official, employee, or agent of such committee; and

''(II) an individual that the person described in subclause (I) knows, has reason to know, or reasonably believes is a covered foreign national; and

''(ii) the person described in clause (i)(I) knows, has reason to know, or reasonably believes involves—

''(I) an offer or other proposal for a contribution, donation, expenditure, disbursement, or solicitation described in section 319; or

''(II) direct or indirect coordination or collaboration with, or a direct or indirect offer or provision of information or services to or from, a covered foreign national in connection with an election.

''(B) EXCEPTIONS.—

''(i) CONTACTS IN OFFICIAL CAPACITY AS ELECTED OFFICIAL.—The term 'reportable foreign contact' shall not include any contact or communication with a covered foreign national by an elected official or an employee of an elected official solely in an official capacity as such an official or employee.

''(ii) CONTACTS FOR PURPOSES OF ENABLING OBSERVATION OF ELECTIONS BY INTERNATIONAL OBSERVERS.—The term 'reportable foreign contact' shall not include any contact or communication with a covered foreign national by any person which is made for purposes of enabling the observation of elections in the United States by a foreign national or the observation of elections outside of the United States by a candidate, political committee, or any official, employee, or agent of such committee.

''(iii) EXCEPTIONS NOT APPLICABLE IF CONTACTS OR COMMUNICATIONS INVOLVE PROHIBITED DISBURSEMENTS.—A contact or communication by an elected official or an employee of an elected official shall not be considered to be made solely in an official capacity for purposes of clause (i), and a contact or communication shall not be considered to be made for purposes of enabling the observation of elections for purposes of clause (ii), if the contact or communication involves a contribution, donation, expenditure, disbursement, or solicitation described in section 319.

''(C) COVERED FOREIGN NATIONAL DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'covered foreign national' means—

''(I) a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)) that is a government of a foreign country or a foreign political party;

''(II) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal described in subclause (I) or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal described in subclause (I); or

''(III) any person included in the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to authorities relating to the imposition of sanctions relating to the conduct of a foreign principal described in subclause (I).

''(ii) CLARIFICATION REGARDING APPLICATION TO CITIZENS OF THE UNITED STATES.—In the case of a citizen of the United States, subclause (II) of clause (i) applies only to the extent that the person involved acts within the scope of that person's status as the agent of a foreign principal described in subclause (I) of clause (i).

''(4) IMMEDIATE FAMILY MEMBER.—In this subsection, the term 'immediate family member' means, with respect to a candidate, a parent, parent-in-law, spouse, adult child, or sibling.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to reportable foreign contacts which occur on or after the date of the enactment of this Act.

(b) INFORMATION INCLUDED ON REPORT.—

(1) IN GENERAL.—Section 304(b) of such Act (52 U.S.C. 30104(b)) is amended—

(A) by striking ''and'' at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(9) for any reportable foreign contact (as defined in subsection (j)(3))—

''(A) the date, time, and location of the contact;

''(B) the date and time of when a designated official of the committee was notified of the contact;

''(C) the identity of individuals involved; and

''(D) a description of the contact, including the nature of any contribution, donation, expenditure, disbursement, or solicitation involved and the nature of any activity described in subsection (j)(3)(A)(ii)(II) involved.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to reports filed on or after the expiration of the 60-day period which begins on the date of the enactment of this Act.

SEC. 3803. FEDERAL CAMPAIGN FOREIGN CONTACT REPORTING COMPLIANCE SYSTEM.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102) is amended by adding at the end the following new subsection:

''(j) REPORTABLE FOREIGN CONTACTS COMPLIANCE POLICY.—

''(1) REPORTING.—Each political committee shall establish a policy that requires all officials, employees, and agents of such committee (and, in the case of an authorized committee, the candidate and each immediate family member of the candidate) to notify the treasurer or other appropriate designated official of the committee of any reportable foreign contact (as defined in section 304(j)) not later than 3 days after such contact was made.

''(2) RETENTION AND PRESERVATION OF RECORDS.—Each political committee shall establish a policy that provides for the retention and preservation of records and information related to reportable foreign contacts (as so defined) for a period of not less than 3 years.

''(3) CERTIFICATION.—

''(A) IN GENERAL.—Upon filing its statement of organization under section 303(a), and with each report filed under section 304(a), the treasurer of each political committee (other than an authorized committee) shall certify that—

''(i) the committee has in place policies that meet the requirements of paragraphs (1) and (2);

''(ii) the committee has designated an official to monitor compliance with such policies; and

''(iii) not later than 1 week after the beginning of any formal or informal affiliation with the committee, all officials, employees, and agents of such committee will—

''(I) receive notice of such policies;

''(II) be informed of the prohibitions under section 319; and

''(III) sign a certification affirming their understanding of such policies and prohibitions.

''(B) AUTHORIZED COMMITTEES.—With respect to an authorized committee, the candidate shall make the certification required under subparagraph (A).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to political committees which file a statement of organization under section 303(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30103(a)) on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR EXISTING COMMITTEES.—Not later than 30 days after the date of the enactment of this Act, each political committee under the Federal Election Campaign Act of 1971 shall file a certification with the Federal Election Commission that the committee is in compliance with the requirements of section 302(j) of such Act (as added by subsection (a)).

SEC. 3804. CRIMINAL PENALTIES.

Section 309(d)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)(1)) is amended by adding at the end the following new subparagraphs:

''(E) Any person who knowingly and willfully commits a violation of subsection (j) or (b)(9) of section 304 or section 302(j) shall be fined not more than $500,000, imprisoned not more than 5 years, or both.

''(F) Any person who knowingly and willfully conceals or destroys any materials relating to a reportable foreign contact (as defined in section 304(j)) shall be fined not more than $1,000,000, imprisoned not more than 5 years, or both.''.

SEC. 3805. REPORT TO CONGRESSIONAL INTELLIGENCE COMMITTEES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a report relating to notifications received by the Federal Bureau of Investigation under section 304(j)(1) of the Federal Election Campaign Act of 1971 (as added by section 4902(a) of this division).

(b) ELEMENTS.—Each report under subsection (a) shall include, at a minimum, the following with respect to notifications described in subsection (a):

(1) The number of such notifications received from political committees during the year covered by the report.

(2) A description of protocols and procedures developed by the Federal Bureau of Investigation relating to receipt and maintenance of records relating to such notifications.

(3) With respect to such notifications received during the year covered by the report, a description of any subsequent actions taken by the Director resulting from the receipt of such notifications.

(c) CONGRESSIONAL INTELLIGENCE COMMITTEES DEFINED.—In this section, the term ''congressional intelligence committees'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 3806. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed—

(1) to impede legitimate journalistic activities; or

(2) to impose any additional limitation on the right to express political views or to participate in public discourse of any individual who—

(A) resides in the United States;

(B) is not a citizen of the United States or a national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

(C) is not lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

Subtitle J—Promoting Accuracy, Integrity, and Security Through Voter-Verifiable Permanent Paper Ballot

SEC. 3901. SHORT TITLE.

This subtitle may be cited as the ''Voter Confidence and Increased Accessibility Act of 2024''.

SEC. 3902. PAPER BALLOT AND MANUAL COUNTING REQUIREMENTS.

(a) IN GENERAL.—Section 301(a)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(2)) is amended to read as follows:

''(2) PAPER BALLOT REQUIREMENT.—

''(A) VOTER-VERIFIABLE PAPER BALLOTS.—

''(i) The voting system shall require the use of an individual, durable, voter-verifiable paper ballot of the voter's vote selections that shall be marked by the voter and presented to the voter for verification before the voter's ballot is preserved in accordance with subparagraph (B), and which shall be counted by hand or other counting device or read by a ballot tabulation device. For purposes of this subclause, the term 'individual, durable, voter-verifiable paper ballot' means a paper ballot marked by the voter by hand or a paper ballot marked through the use of a nontabulating ballot marking device or system, so long as the voter shall have the option at every in-person voting location to mark by hand a printed ballot that includes all relevant contests and candidates.

''(ii) The voting system shall provide the voter with an opportunity to correct any error on the paper ballot before the permanent voter-verifiable paper ballot is preserved in accordance with subparagraph (B).

''(iii) The voting system shall not preserve the voter-verifiable paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote selections.

''(iv) The voting system shall prevent, through mechanical means or through independently verified protections, the modification or addition of vote selections on a printed or marked ballot at any time after the voter has been provided an opportunity to correct errors on the ballot pursuant to clause (ii).

''(B) PRESERVATION AS OFFICIAL RECORD.—The individual, durable, voter-verifiable paper ballot used in accordance with subparagraph (A) shall constitute the official ballot and shall be preserved and used as the official ballot for purposes of any recount or audit conducted with respect to any election for Federal office in which the voting system is used.

''(C) MANUAL COUNTING REQUIREMENTS FOR RECOUNTS AND AUDITS.—

''(i) Each paper ballot used pursuant to subparagraph (A) shall be suitable for a manual audit, and such ballots, or at least those ballots the machine could not count, shall be counted by hand in any recount or audit conducted with respect to any election for Federal office.

''(ii) In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verifiable paper ballots used pursuant to subparagraph (A), the individual, durable, voter-verifiable paper ballots shall be the true and correct record of the votes cast.

''(D) SENSE OF CONGRESS.—It is the sense of Congress that as innovation occurs in the election infrastructure sector, Congress should ensure that this Act and other Federal requirements for voting systems are updated to keep pace with best practices and recommendations for security and accessibility.''.

(b) CONFORMING AMENDMENT CLARIFYING APPLICABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4)) is amended by inserting ''(including the paper ballots required to be used under paragraph (2))'' after ''voting system''.

(c) OTHER CONFORMING AMENDMENTS.—Section 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amended—

(1) in subparagraph (A)(i), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(2) in subparagraph (A)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(3) in subparagraph (A)(iii), by striking ''counted'' each place it appears and inserting ''counted, in accordance with paragraphs (2) and (3)''; and

(4) in subparagraph (B)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)''.

SEC. 3903. ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Paragraph (3) of section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(3)) is amended to read as follows:

''(3) ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES.—

''(A) IN GENERAL.—The voting system shall—

''(i) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;

''(ii)(I) ensure that individuals with disabilities and others are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verifiable paper ballot; and

''(II) satisfy the requirement of clause (i) through the use at in-person polling locations of a sufficient number (not less than one) of voting systems equipped to serve individuals with and without disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired, and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired; and

''(iii) if purchased with funds made available under title II on or after January 1, 2007, meet the voting system standards for disability access (as outlined in this paragraph).

''(B) MEANS OF MEETING REQUIREMENTS.—A voting system may meet the requirements of subparagraph (A)(i) and paragraph (2) by—

''(i) allowing the voter to privately and independently verify the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote tabulation or auditing;

''(ii) allowing the voter to privately and independently verify and cast the permanent paper ballot without requiring the voter to manually handle the paper ballot;

''(iii) marking ballots that are identical in size, ink, and paper stock to those ballots that would either be marked by hand or be marked by a ballot marking device made generally available to voters; or

''(iv) combining ballots produced by any ballot marking devices reserved for individuals with disabilities with ballots that have either been marked by voters by hand or marked by ballot marking devices made generally available to voters, in a way that prevents identification of the ballots that were cast using any ballot marking device that was reserved for individuals with disabilities.

''(C) SUFFICIENT NUMBER.—For purposes of subparagraph (A)(ii)(II), the sufficient number of voting systems for any in-person polling location shall be determined based on guidance from the Attorney General, in consultation with the Architectural and Transportation Barriers Compliance Board established under section 502(a)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 792(a)(1)) (commonly referred to as the United States Access Board) and the Commission.''.

(b) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND DEVELOPMENT OF ACCESSIBLE VOTING OPTIONS.—

(1) STUDY AND REPORTING.—Subtitle C of title II of such Act (52 U.S.C. 21081 et seq.) is amended—

(A) by redesignating section 247 as section 248; and

(B) by inserting after section 246 the following new section:

''SEC. 247. STUDY AND REPORT ON ACCESSIBLE VOTING OPTIONS.

''(a) GRANTS TO STUDY AND REPORT.—The Commission, in coordination with the Access Board and the Cybersecurity and Infrastructure Security Agency, shall make grants to not fewer than 2 eligible entities to study, test, and develop—

''(1) accessible and secure remote voting systems;

''(2) voting, verification, and casting devices to enhance the accessibility of voting and verification for individuals with disabilities; or

''(3) both of the matters described in paragraph (1) and (2).

''(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Commission (at such time and in such form as the Commission may require) an application containing—

''(1) a certification that the entity shall complete the activities carried out with the grant not later than January 1, 2028; and

''(2) such other information and certifications as the Commission may require.

''(c) AVAILABILITY OF TECHNOLOGY.—Any technology developed with the grants made under this section shall be treated as nonproprietary and shall be made available to the public, including to manufacturers of voting systems.

''(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Commission shall carry out this section so that the activities carried out with the grants made under subsection (a) are coordinated with the research conducted under the grant program carried out by the Commission under section 271, to the extent that the Commission determine necessary to provide for the advancement of accessible voting technology.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $10,000,000, to remain available until expended.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 247 as relating to section 248; and

(B) by inserting after the item relating to section 246 the following new item:

''Sec. 247. Study and report on accessible voting options.''.

(c) CLARIFICATION OF ACCESSIBILITY STANDARDS UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In adopting any voluntary guidance under subtitle B of title III of the Help America Vote Act with respect to the accessibility of the paper ballot verification requirements for individuals with disabilities, the Election Assistance Commission shall include and apply the same accessibility standards applicable under the voluntary guidance adopted for accessible voting systems under such subtitle.

(d) PERMITTING USE OF FUNDS FOR PROTECTION AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO ENFORCE ELECTION-RELATED DISABILITY ACCESS.—Section 292(a) of the Help America Vote Act of 2002 (52 U.S.C. 21062(a)) is amended by striking ''; except that'' and all that follows and inserting a period.

SEC. 3904. DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)) is amended by adding at the end the following new paragraph:

''(7) DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.—

''(A) DURABILITY REQUIREMENTS FOR PAPER BALLOTS.—

''(i) IN GENERAL.—All voter-verifiable paper ballots required to be used under this Act shall be marked or printed on durable paper.

''(ii) DEFINITION.—For purposes of this Act, paper is 'durable' if it is capable of withstanding multiple counts and recounts by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked or printed on them for the full duration of a retention and preservation period of 22 months.

''(B) READABILITY REQUIREMENTS FOR PAPER BALLOTS MARKED BY BALLOT MARKING DEVICE.—All voter-verifiable paper ballots completed by the voter through the use of a ballot marking device shall be clearly readable by the voter without assistance (other than eyeglasses or other personal vision enhancing devices) and by a ballot tabulation device or other device equipped for individuals with disabilities.''.

SEC. 3905. STUDY AND REPORT ON OPTIMAL BALLOT DESIGN.

(a) STUDY.—The Election Assistance Commission shall conduct a study of the best ways to design ballots used in elections for public office, including paper ballots and electronic or digital ballots, to minimize confusion and user errors.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Election Assistance Commission shall submit to Congress a report on the study conducted under subsection (a).

SEC. 3906. BALLOT MARKING DEVICE CYBERSECURITY REQUIREMENTS.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 3904, is further amended by adding at the end the following new paragraphs:

''(8) PROHIBITION OF USE OF WIRELESS COMMUNICATIONS DEVICES IN SYSTEMS OR DEVICES.—No system or device upon which ballot marking devices or ballot tabulation devices are configured, upon which ballots are marked by voters at a polling place (except as necessary for individuals with disabilities to use ballot marking devices that meet the accessibility requirements of paragraph (3)), or upon which votes are cast, tabulated, or aggregated shall contain, use, or be accessible by any wireless, power-line, or concealed communication device.

''(9) PROHIBITING CONNECTION OF SYSTEM TO THE INTERNET.—No system or device upon which ballot marking devices or ballot tabulation devices are configured, upon which ballots are marked by voters at a voting place, or upon which votes are cast, tabulated, or aggregated shall be connected to the internet or any non-local computer system via telephone or other communication network at any time.''.

SEC. 3907. EFFECTIVE DATE FOR NEW REQUIREMENTS.

Section 301(d) of the Help America Vote Act of 2002 (52 U.S.C. 21081(d)) is amended to read as follows:

''(d) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

''(2) SPECIAL RULE FOR CERTAIN REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), the requirements of this section which are first imposed on a State or jurisdiction pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2024 shall apply with respect to voting systems used for any election for Federal office held in 2026 or any succeeding year.

''(B) SPECIAL RULE FOR JURISDICTIONS USING CERTAIN PAPER RECORD PRINTERS OR CERTAIN SYSTEMS USING OR PRODUCING VOTER-VERIFIABLE PAPER RECORDS IN 2024.—

''(i) IN GENERAL.—In the case of a jurisdiction described in clause (ii), the requirements of paragraphs (2)(A)(i) and (7) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2024) shall not apply before the date on which the jurisdiction replaces the printers or systems described in clause (ii)(I) for use in the administration of elections for Federal office.

''(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

''(I) which used voter-verifiable paper record printers attached to direct recording electronic voting machines, or which used other voting systems that used or produced paper records of the vote verifiable by voters but that are not in compliance with paragraphs (2)(A)(i) and (7) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2024), for the administration of the regularly scheduled general election for Federal office held in November 2024; and

''(II) which will continue to use such printers or systems for the administration of elections for Federal office held in years before the applicable year.

''(iii) MANDATORY AVAILABILITY OF PAPER BALLOTS AT POLLING PLACES USING GRANDFATHERED PRINTERS AND SYSTEMS.—

''(I) REQUIRING BALLOTS TO BE OFFERED AND PROVIDED.—The appropriate election official at each polling place that uses a printer or system described in clause (ii)(I) for the administration of elections for Federal office shall offer each individual who is eligible to cast a vote in the election at the polling place the opportunity to cast the vote using a blank printed paper ballot which the individual may mark by hand and which is not produced by the direct recording electronic voting machine or other such system. The official shall provide the individual with the ballot and the supplies necessary to mark the ballot, and shall ensure (to the greatest extent practicable) that the waiting period for the individual to cast a vote is the lesser of 30 minutes or the average waiting period for an individual who does not agree to cast the vote using such a paper ballot under this clause.

''(II) TREATMENT OF BALLOT.—Any paper ballot which is cast by an individual under this clause shall be counted and otherwise treated as a regular ballot for all purposes (including by incorporating it into the final unofficial vote count (as defined by the State) for the precinct) and not as a provisional ballot, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot.

''(III) POSTING OF NOTICE.—The appropriate election official shall ensure there is prominently displayed at each polling place a notice that describes the obligation of the official to offer individuals the opportunity to cast votes using a printed blank paper ballot. The notice shall comply with the requirements of section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

''(IV) TRAINING OF ELECTION OFFICIALS.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this clause, including the requirement to display a notice under subclause (III), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank printed paper ballot.

''(V) PERIOD OF APPLICABILITY.—The requirements of this clause apply only during the period beginning on January 1, 2026, and ending on the date on which the which the jurisdiction replaces the printers or systems described in clause (ii)(I) for use in the administration of elections for Federal office.

''(C) DELAY FOR CERTAIN JURISDICTIONS USING VOTING SYSTEMS WITH WIRELESS COMMUNICATION DEVICES OR INTERNET CONNECTIONS.—

''(i) DELAY.—In the case of a jurisdiction described in clause (ii), subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to '2026' were a reference to 'the applicable year', but only with respect to the following requirements of this section.

''(I) Paragraph (8) of subsection (a) (relating to prohibition of wireless communication devices)

''(II) Paragraph (9) of subsection (a) (relating to prohibition of connecting systems to the internet)

''(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

''(I) which used a voting system which is not in compliance with paragraphs (8) or (9) of subsection (a) (as amended or added by the Voter Confidence and Increased Accessibility Act of 2024) for the administration of the regularly scheduled general election for Federal office held in November 2022;

''(II) which was not able, to all extent practicable, to comply with paragraph (8) and (9) of subsection (a) before January 1, 2026; and

''(III) which will continue to use such printers or systems for the administration of elections for Federal office held in years before the applicable year.

''(iii) APPLICABLE YEAR.—

''(I) IN GENERAL.—Except as provided in subclause (II), the term 'applicable year' means 2030.

''(II) EXTENSION.—If a State or jurisdiction certifies to the Commission not later than January 1, 2030, that the State or jurisdiction will not meet the requirements described in subclauses (I) and (II) of clause (i) by such date because it would be impractical to do so and includes in the certification the reasons for the failure to meet the deadline, the term 'applicable year' means 2034.''.

SEC. 3908. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

(a) AVAILABILITY OF GRANTS.—

(1) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 1302(c), is amended by adding at the end the following new part:

''PART 8—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''SEC. 298. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

''(a) AVAILABILITY AND USE OF GRANT.—

''(1) IN GENERAL.—The Commission shall make a grant to each eligible State—

''(A) to replace a voting system—

''(i) which does not meet the requirements which are first imposed on the State pursuant to the amendments made by the Voter Confidence and Increased Accessibility Act of 2024 with a voting system which—

''(I) does meet such requirements; and

''(II) in the case of a grandfathered voting system (as defined in paragraph (2)), is in compliance with the most recent voluntary voting system guidelines; or

''(ii) which does meet such requirements but which is not in compliance with the most recent voluntary voting system guidelines with another system which does meet such requirements and is in compliance with such guidelines;

''(B) to carry out voting system security improvements described in section 298A with respect to the regularly scheduled general election for Federal office held in November 2026 and each succeeding election for Federal office;

''(C) to implement and model best practices for ballot design, ballot instructions, and the testing of ballots; and

''(D) to purchase or acquire accessible voting systems that meet the requirements of paragraph (2) and paragraph (3)(A)(i) of section 301(a) by the means described in paragraph (3)(B) of such section.

''(2) DEFINITION OF GRANDFATHERED VOTING SYSTEM.—In this subsection, the term 'grandfathered voting system' means a voting system that is used by a jurisdiction described in subparagraph (B)(ii) or (C)(ii) of section 301(d)(2).

''(b) AMOUNT OF PAYMENT.—

''(1) IN GENERAL.—The amount of payment made to an eligible State under this section shall be the minimum payment amount described in paragraph (2) plus the voting age population proportion amount described in paragraph (3).

''(2) MINIMUM PAYMENT AMOUNT.—The minimum payment amount described in this paragraph is—

''(A) in the case of any of the several States or the District of Columbia, one-half of 1 percent of the aggregate amount made available for payments under this section; and

''(B) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands, one-tenth of 1 percent of such aggregate amount.

''(3) VOTING AGE POPULATION PROPORTION AMOUNT.—The voting age population proportion amount described in this paragraph is the product of—

''(A) the aggregate amount made available for payments under this section minus the total of all of the minimum payment amounts determined under paragraph (2); and

''(B) the voting age population proportion for the State (as defined in paragraph (4)).

''(4) VOTING AGE POPULATION PROPORTION DEFINED.—The term 'voting age population proportion' means, with respect to a State, the amount equal to the quotient of—

''(A) the voting age population of the State (as reported in the most recent decennial census); and

''(B) the total voting age population of all States (as reported in the most recent decennial census).

''(5) REQUIREMENT RELATING TO PURCHASE OF ACCESSIBLE VOTING SYSTEMS.—An eligible State shall use not less than 10 percent of funds received by the State under this section to purchase accessible voting systems described in subsection (a)(1)(D).

''SEC. 298A. VOTING SYSTEM SECURITY IMPROVEMENTS DESCRIBED.

''(a) PERMITTED USES.—A voting system security improvement described in this section is any of the following:

''(1) The acquisition of goods and services from qualified election infrastructure vendors by purchase, lease, or such other arrangements as may be appropriate.

''(2) Cyber and risk mitigation training.

''(3) A security risk and vulnerability assessment of the State's election infrastructure (as defined in section 3908(b) of the Voter Confidence and Increased Accessibility Act of 2024) which is carried out by a provider of cybersecurity services under a contract entered into between the chief State election official and the provider.

''(4) The maintenance of infrastructure used for elections, including addressing risks and vulnerabilities which are identified under either of the security risk and vulnerability assessments described in paragraph (3), except that none of the funds provided under this part may be used to renovate or replace a building or facility which is not a primary provider of information technology services for the administration of elections, and which is used primarily for purposes other than the administration of elections for public office.

''(5) Providing increased technical support for any information technology infrastructure that the chief State election official deems to be part of the State's election infrastructure (as so defined) or designates as critical to the operation of the State's election infrastructure (as so defined).

''(6) Enhancing the cybersecurity and operations of the information technology infrastructure described in paragraph (4).

''(7) Enhancing the cybersecurity of voter registration systems.

''(b) QUALIFIED ELECTION INFRASTRUCTURE VENDORS DESCRIBED.—For purposes of this part, a 'qualified election infrastructure vendor' is any person who provides, supports, or maintains, or who seeks to provide, support, or maintain, election infrastructure (as defined in section 3908(b) of the Voter Confidence and Increased Accessibility Act of 2024) on behalf of a State, unit of local government, or election agency (as defined in section 3908(b) of such Act) who meets the criteria described in section 3908(b) of such Act.

''SEC. 298B. ELIGIBILITY OF STATES.

''A State is eligible to receive a grant under this part if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

''(1) a description of how the State will use the grant to carry out the activities authorized under this part;

''(2) a certification and assurance that, not later than 5 years after receiving the grant, the State will carry out voting system security improvements, as described in section 298A; and

''(3) such other information and assurances as the Commission may require.

''SEC. 298C. REPORTS TO CONGRESS.

''Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the Committees on Homeland Security, House Administration, and the Judiciary of the House of Representatives and the Committees on Homeland Security and Governmental Affairs, the Judiciary, and Rules and Administration of the Senate, on the activities carried out with the funds provided under this part.

''SEC. 298D. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated for grants under this part—

''(1) $2,400,000,000 for fiscal year 2026; and

''(2) $175,000,000 for each of the fiscal years 2028, 2030, 2032, and 2034.

''(b) CONTINUING AVAILABILITY OF AMOUNTS.—Any amounts appropriated pursuant to the authorization of this section shall remain available until expended.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 1402(c), is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 8—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''Sec. 298. Grants for obtaining compliant paper ballot voting systems and carrying out voting system security improvements.

''Sec. 298A. Voting system security improvements described.

''Sec. 298B. Eligibility of States.

''Sec. 298C. Reports to Congress.

''Sec. 298D. Authorization of appropriations.

(b) QUALIFIED ELECTION INFRASTRUCTURE VENDORS.—

(1) IN GENERAL.—The Secretary, in consultation with the Chair, shall establish and publish criteria for qualified election infrastructure vendors for purposes of section 298A of the Help America Vote Act of 2002 (as added by this Act).

(2) CRITERIA.—The criteria established under paragraph (1) shall include each of the following requirements:

(A) The vendor shall—

(i) be owned and controlled by a citizen or permanent resident of the United States or a member of the Five Eyes intelligence-sharing alliance; and

(ii) in the case of any election infrastructure which is a voting machine, ensure that such voting machine is assembled in the United States.

(B) The vendor shall disclose to the Secretary and the Chair, and to the chief State election official of any State to which the vendor provides any goods and services with funds provided under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act), of any sourcing outside the United States for parts of the election infrastructure.

(C) The vendor shall disclose to the Secretary and the Chair, and to the chief State election official of any State to which the vendor provides any goods and services with funds provided under such part 8, the identification of any entity or individual with a more than 5 percent ownership interest in the vendor.

(D) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the cybersecurity best practices issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(E) The vendor agrees to maintain its information technology infrastructure in a manner that is consistent with the cybersecurity best practices issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(F) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the supply chain best practices issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(G) The vendor agrees to ensure that it has personnel policies and practices in place that are consistent with personnel best practices, including cybersecurity training and background checks, issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(H) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with data integrity best practices, including requirements for encrypted transfers and validation, testing and checking printed materials for accuracy, and disclosure of quality control incidents, issued by the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security.

(I) The vendor agrees to meet the requirements of paragraph (3) with respect to any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor pursuant to a grant under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act).

(J) The vendor agrees to permit independent security testing by the Election Assistance Commission (in accordance with section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971)) and by the Secretary of the goods and services provided by the vendor pursuant to a grant under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act).

(3) CYBERSECURITY INCIDENT REPORTING REQUIREMENTS.—

(A) IN GENERAL.—A vendor meets the requirements of this paragraph if, upon becoming aware of the possibility that an election cybersecurity incident has occurred involving any of the goods and services provided by the vendor pursuant to a grant under part 8 of subtitle D of title II of the Help America Vote Act of 2002 (as added by this Act)—

(i) the vendor promptly assesses whether or not such an incident occurred, and submits a notification meeting the requirements of subparagraph (B) to the Secretary and the Chair of the assessment as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred);

(ii) if the incident involves goods or services provided to an election agency, the vendor submits a notification meeting the requirements of subparagraph (B) to the agency as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred), and cooperates with the agency in providing any other necessary notifications relating to the incident; and

(iii) the vendor provides all necessary updates to any notification submitted under clause (i) or clause (ii).

(B) CONTENTS OF NOTIFICATIONS.—Each notification submitted under clause (i) or clause (ii) of subparagraph (A) shall contain the following information with respect to any election cybersecurity incident covered by the notification:

(i) The date, time, and time zone when the election cybersecurity incident began, if known.

(ii) The date, time, and time zone when the election cybersecurity incident was detected.

(iii) The date, time, and duration of the election cybersecurity incident.

(iv) The circumstances of the election cybersecurity incident, including the specific election infrastructure systems believed to have been accessed and information acquired, if any.

(v) Any planned and implemented technical measures to respond to and recover from the incident.

(vi) In the case of any notification which is an update to a prior notification, any additional material information relating to the incident, including technical data, as it becomes available.

(C) DEVELOPMENT OF CRITERIA FOR REPORTING.—Not later than 1 year after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency shall, in consultation with the Election Infrastructure Sector Coordinating Council, develop criteria for incidents which are required to be reported in accordance with subparagraph (A).

(4) DEFINITIONS.—In this subsection:

(A) CHAIR.—The term ''Chair'' means the Chair of the Election Assistance Commission.

(B) CHIEF STATE ELECTION OFFICIAL.—The term ''chief State election official'' means, with respect to a State, the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (52 U.S.C. 20509) to be responsible for coordination of the State's responsibilities under such Act.

(C) ELECTION AGENCY.—The term ''election agency'' means any component of a State, or any component of a unit of local government in a State, which is responsible for the administration of elections for Federal office in the State.

(D) ELECTION INFRASTRUCTURE.—The term ''election infrastructure'' means storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office, as well as related information and communications technology, including voter registration databases, voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.

(E) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(F) STATE.—The term ''State'' has the meaning given such term in section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141).

Subtitle K—Provisional Ballots

SEC. 3911. REQUIREMENTS FOR COUNTING PROVISIONAL BALLOTS; ESTABLISHMENT OF UNIFORM AND NONDISCRIMINATORY STANDARDS.

(a) IN GENERAL.—Section 302 of the Help America Vote Act of 2002 (52 U.S.C. 21082), as amended by section 1601(a), is amended—

(1) by redesignating subsection (e) as subsection (h); and

(2) by inserting after subsection (d) the following new subsections:

''(e) COUNTING OF PROVISIONAL BALLOTS.—

''(1) IN GENERAL.—

''(A) For purposes of subsection (a)(4), if a provisional ballot is cast within the same county in which the voter is registered or otherwise eligible to vote, then notwithstanding the precinct or polling place at which a provisional ballot is cast within the county, the appropriate election official of the jurisdiction in which the individual is registered or otherwise eligible to vote shall count each vote on such ballot for each election in which the individual who cast such ballot is eligible to vote.

''(B) In addition to the requirements under subsection (a), for each State or political subdivision that provides voters provisional ballots, challenge ballots, or affidavit ballots under the State's applicable law governing the voting processes for those voters whose eligibility to vote is determined to be uncertain by election officials, election officials shall—

''(i) provide clear written instructions indicating the reason the voter was given a provisional ballot, the information or documents the voter needs to prove eligibility, the location at which the voter must appear to submit these materials or alternative methods, including email or facsimile, that the voter may use to submit these materials, and the deadline for submitting these materials;

''(ii) provide a verbal translation of any written instructions to the voter if necessary;

''(iii) permit any voter who votes provisionally at any polling place on Indian lands to appear at any polling place or at a central location for the election board to submit the documentation or information to prove eligibility; and

''(iv) notify the voter as to whether the voter's provisional ballot was counted or rejected and provide the reason for rejection if the voter's provisional ballot was rejected after the voter provided the required information or documentation on eligibility.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall prohibit a State or jurisdiction from counting a provisional ballot which is cast in a different county within the State than the county in which the voter is registered or otherwise eligible to vote.

''(f) DUE PROCESS REQUIREMENTS FOR STATES REQUIRING SIGNATURE VERIFICATION.—

''(1) REQUIREMENT.—

''(A) IN GENERAL.—A State may not impose a signature verification requirement as a

condition of accepting and counting a provisional ballot submitted by any individual with respect to an election for Federal office unless the State meets the due process requirements described in paragraph (2).

''(B) SIGNATURE VERIFICATION REQUIREMENT DESCRIBED.—In this subsection, a 'signature verification requirement' is a requirement that an election official verify the identification of an individual by comparing the individual's signature on the provisional ballot with the individual's signature on the official list of registered voters in the State or another official record or other document used by the State to verify the signatures of voters.

''(2) DUE PROCESS REQUIREMENTS.—

''(A) NOTICE AND OPPORTUNITY TO CURE DISCREPANCY IN SIGNATURES.—If an individual submits a provisional ballot and the appropriate State or local election official determines that a discrepancy exists between the signature on such ballot and the signature of such individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall—

''(i) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) a discrepancy exists between the signature on such ballot and the signature of the individual on the official list of registered voters in the State or other official record or document used by the State to verify the signatures of voters; and

''(II) if such discrepancy is not cured prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(ii) cure such discrepancy and count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with information to cure such discrepancy, either in person, by telephone, or by electronic methods.

''(B) NOTICE AND OPPORTUNITY TO CURE MISSING SIGNATURE OR OTHER DEFECT.—If an individual submits a provisional ballot without a signature or submits a provisional ballot with another defect which, if left uncured, would cause the ballot to not be counted, the appropriate State or local election official, prior to making a final determination as to the validity of the ballot, shall—

''(i) as soon as practical, but no later than the next business day after such determination is made, make a good faith effort to notify the individual by mail, telephone, and (if available) text message and electronic mail that—

''(I) the ballot did not include a signature or has some other defect; and

''(II) if the individual does not provide the missing signature or cure the other defect prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, such ballot will not be counted; and

''(ii) count the ballot if, prior to the expiration of the third day following the State's deadline for receiving mail-in ballots or absentee ballots, the individual provides the official with the missing signature on a form proscribed by the State or cures the other defect.

''(C) OTHER REQUIREMENTS.—

''(i) IN GENERAL.—An election official may not make a determination that a discrepancy exists between the signature on a provisional ballot and the signature of the individual on the official list of registered voters in the State or other official record or other document used by the State to verify the signatures of voters unless—

''(I) at least 2 election officials make the determination;

''(II) each official who makes the determination has received training in procedures used to verify signatures; and

''(III) of the officials who make the determination, at least one is affiliated with the political party whose candidate received the most votes in the most recent statewide election for Federal office held in the State and at least one is affiliated with the political party whose candidate received the second most votes in the most recent statewide election for Federal office held in the State.

''(ii) EXCEPTION.—Clause (i)(III) shall not apply to any State in which, under a law that is in effect continuously on and after the date of enactment of this section, determinations regarding signature discrepancies are made by election officials who are not affiliated with a political party.

''(3) REPORT.—

''(A) IN GENERAL.—Not later than 120 days after the end of a Federal election cycle, each chief State election official shall submit to the Commission a report containing the following information for the applicable Federal election cycle in the State:

''(i) The number of provisional ballots invalidated due to a discrepancy under this subsection.

''(ii) Description of attempts to contact voters to provide notice as required by this subsection.

''(iii) Description of the cure process developed by such State pursuant to this subsection, including the number of provisional ballots determined valid as a result of such process.

''(B) SUBMISSION TO CONGRESS.—Not later than 10 days after receiving a report under subparagraph (A), the Commission shall transmit such report to Congress.

''(C) FEDERAL ELECTION CYCLE DEFINED.—For purposes of this subsection, the term 'Federal election cycle' means, with respect to any regularly scheduled election for Federal office, the period beginning on the day after the date of the preceding regularly scheduled general election for Federal office and ending on the date of such regularly scheduled general election.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to prohibit a State from rejecting a ballot attempted to be cast in an election for Federal office by an individual who is not eligible to vote in the election; or

''(B) to prohibit a State from providing an individual with more time and more methods for curing a discrepancy in the individual's signature, providing a missing signature, or curing any other defect than the State is required to provide under this subsection.

''(5) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2026.

''(g) UNIFORM AND NONDISCRIMINATORY STANDARDS.—

''(1) IN GENERAL.—Consistent with the requirements of this section, each State shall establish uniform and nondiscriminatory standards for the issuance, handling, and counting of provisional ballots.

''(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2026.

''(h) ADDITIONAL CONDITIONS PROHIBITED.—If an individual in a State is eligible to cast a provisional ballot as provided under this section, the State may not impose any additional conditions or requirements (including conditions or requirements regarding the timeframe in which a provisional ballot may be cast) on the eligibility of the individual to cast such provisional ballot.''.

(b) CONFORMING AMENDMENT.—Section 302(h) of such Act (52 U.S.C. 21082(g)), as amended by section 1601(a) and redesignated by subsection (a), is amended by striking ''subsection (d)(4)'' and inserting ''subsections (d)(4), (e)(3), and (f)(2)''.

TITLE IV—VOTING SYSTEM SECURITY

SEC. 4001. POST-ELECTION AUDIT REQUIREMENT.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 3601, is amended by inserting after section 303A the following new section:

''SEC. 303B. POST-ELECTION AUDITS.

''(a) DEFINITIONS.—In this section:

''(1) POST-ELECTION AUDIT.—Except as provided in subsection (c)(1)(B), the term 'post-election audit' means, with respect to any election contest, a post-election process that—

''(A) has a probability of at least 95 percent of correcting the reported outcome if the reported outcome is not the correct outcome;

''(B) will not change the outcome if the reported outcome is the correct outcome; and

''(C) involves a manual adjudication of voter intent from some or all of the ballots validly cast in the election contest.

''(2) REPORTED OUTCOME; CORRECT OUTCOME; OUTCOME.—

''(A) REPORTED OUTCOME.—The term 'reported outcome' means the outcome of an election contest which is determined according to the canvass and which will become the official, certified outcome unless it is revised by an audit, recount, or other legal process.

''(B) CORRECT OUTCOME.—The term 'correct outcome' means the outcome that would be determined by a manual adjudication of voter intent for all votes validly cast in the election contest.

''(C) OUTCOME.—The term 'outcome' means the winner or set of winners of an election contest.

''(3) MANUAL ADJUDICATION OF VOTER INTENT.—The term 'manual adjudication of voter intent' means direct inspection and determination by humans, without assistance from electronic or mechanical tabulation devices, of the ballot choices marked by voters on each voter-verifiable paper record.

''(4) BALLOT MANIFEST.—The term 'ballot manifest' means a record maintained by each jurisdiction that—

''(A) is created without reliance on any part of the voting system used to tabulate votes;

''(B) functions as a sampling frame for conducting a post-election audit; and

''(C) accounts for all ballots validly cast regardless of how they were tabulated and includes a precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—

''(A) AUDITS.—

''(i) IN GENERAL.—Each State and jurisdiction shall administer post-election audits of the results of all election contests for Federal office held in the State in accordance with the requirements of paragraph (2).

''(ii) EXCEPTION.—Clause (i) shall not apply to any election contest for which the State or jurisdiction conducts a full recount through a manual adjudication of voter intent.

''(B) FULL MANUAL TABULATION.—If a post-election audit conducted under subparagraph (A) corrects the reported outcome of an election contest, the State or jurisdiction shall

use the results of the manual adjudication of voter intent conducted as part of the post-election audit as the official results of the election contest.

''(2) AUDIT REQUIREMENTS.—

''(A) RULES AND PROCEDURES.—

''(i) IN GENERAL.—Not later than 6 years after the date of the enactment of this section, the chief State election official of the State shall establish rules and procedures for conducting post-election audits.

''(ii) MATTERS INCLUDED.—The rules and procedures established under clause (i) shall include the following:

''(I) Rules and procedures for ensuring the security of ballots and documenting that prescribed procedures were followed.

''(II) Rules and procedures for ensuring the accuracy of ballot manifests produced by jurisdictions.

''(III) Rules and procedures for governing the format of ballot manifests and other data involved in post-election audits.

''(IV) Methods to ensure that any cast vote records used in a post-election audit are those used by the voting system to tally the results of the election contest sent to the chief State election official of the State and made public.

''(V) Rules and procedures for the random selection of ballots to be inspected manually during each audit.

''(VI) Rules and procedures for the calculations and other methods to be used in the audit and to determine whether and when the audit of each election contest is complete.

''(VII) Rules and procedures for testing any software used to conduct post-election audits.

''(B) PUBLIC REPORT.—

''(i) IN GENERAL.—After the completion of the post-election audit and at least 5 days before the election contest is certified by the State, the State shall make public and submit to the Commission a report on the results of the audit, together with such information as necessary to confirm that the audit was conducted properly.

''(ii) FORMAT OF DATA.—All data published with the report under clause (i) shall be published in machine-readable, open data formats.

''(iii) PROTECTION OF ANONYMITY OF VOTES.—Information and data published by the State under this subparagraph shall not compromise the anonymity of votes.

''(iv) REPORT MADE AVAILABLE BY COMMISSION.—After receiving any report submitted under clause (i), the Commission shall make such report available on its website.

''(3) EFFECTIVE DATE; WAIVER.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), each State and jurisdiction shall be required to comply with the requirements of this subsection for the first regularly scheduled election for Federal office occurring in 2034 and for each subsequent election for Federal office.

''(B) WAIVER.—Except as provided in subparagraph (C), if a State certifies to the Election Assistance Commission not later than the first regularly scheduled election for Federal office occurring in 2034, that the State will not meet the deadline described in subparagraph (A) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subparagraph (A) and subsection (c)(2) shall be applied to the State by substituting '2036' for '2034'.

''(C) ADDITIONAL WAIVER PERIOD.—If a State certifies to the Election Assistance Commission not later than the first regularly scheduled election for Federal office occurring in 2036, that the State will not meet the deadline described in subparagraph (A) (after application of subparagraph (B)) because it would be impracticable to do so and includes in the certification the reasons for the failure to meet such deadline, subparagraph (A) and subsection (c)(2) shall be applied to the State by substituting '2038' for '2034'.

''(c) PHASED IMPLEMENTATION.—

''(1) POST-ELECTION AUDITS.—

''(A) IN GENERAL.—For the regularly scheduled elections for Federal office occurring in 2028 and 2030, each State shall administer a post-election audit of the result of at least one statewide election contest for Federal office held in the State, or if no such statewide contest is on the ballot, one election contest for Federal office chosen at random.

''(B) POST-ELECTION AUDIT DEFINED.—In this subsection, the term 'post-election audit' means a post-election process that involves a manual adjudication of voter intent from a sample of ballots validly cast in the election contest.

''(2) POST-ELECTION AUDITS FOR SELECT CONTESTS.—Subject to subparagraphs (B) and (C) of subsection (b)(3), for the regularly scheduled elections for Federal office occurring in 2030 and for each subsequent election for Federal office that occurs prior to the first regularly scheduled election for Federal office occurring in 2034, each State shall administer a post-election audit of the result of at least one statewide election contest for Federal office held in the State, or if no such statewide contest is on the ballot, one election contest for Federal office chosen at random.

''(3) STATES THAT ADMINISTER POST-ELECTION AUDITS FOR ALL CONTESTS.—A State shall be exempt from the requirements of this subsection for any regularly scheduled election for Federal office in which the State meets the requirements of subsection (b).''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act, as amended by section 3601, is amended by inserting after the item relating to section 303A the following new item:

''Sec. 303B. Post-election audits.''.

(c) STUDY ON POST-ELECTION AUDIT BEST PRACTICES.—

(1) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish an advisory committee to study post-election audits and establish best practices for post-election audit methodologies and procedures.

(2) ADVISORY COMMITTEE.—The Director of the National Institute of Standards and Technology shall appoint individuals to the advisory committee and secure the representation of—

(A) State and local election officials;

(B) individuals with experience and expertise in election security;

(C) individuals with experience and expertise in post-election audit procedures; and

(D) individuals with experience and expertise in statistical methods.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out the purposes of this subsection.

SEC. 4002. ELECTION INFRASTRUCTURE DESIGNATION.

Subparagraph (J) of section 2001(3) of the Homeland Security Act of 2002 (6 U.S.C. 601(3)) is amended by inserting '', including election infrastructure'' before the period at the end.

SEC. 4003. GUIDELINES AND CERTIFICATION FOR ELECTRONIC POLL BOOKS AND REMOTE BALLOT MARKING SYSTEMS.

(a) INCLUSION UNDER VOLUNTARY VOTING SYSTEM GUIDELINES.—Section 222 of the Help America Vote Act of 2002 (52 U.S.C. 20962) is amended—

(1) by redesignating subsections (a), (b), (c), (d), and (e) as subsections (b), (c), (d), (e), and (f);

(2) by inserting after the section heading the following:

''(a) VOLUNTARY VOTING SYSTEM GUIDELINES.—The Commission shall adopt voluntary voting system guidelines that describe functionality, accessibility, and security principles for the design, development, and operation of voting systems, electronic poll books, and remote ballot marking systems.''; and

(3) by adding at the end the following new subsections:

''(g) INITIAL GUIDELINES FOR ELECTRONIC POLL BOOKS AND REMOTE BALLOT MARKING SYSTEMS.—

''(1) ADOPTION DATE.—The Commission shall adopt initial voluntary voting system guidelines for electronic poll books and remote ballot marking systems not later than 1 year after the date of the enactment of the Freedom to Vote Act.

''(2) SPECIAL RULE FOR INITIAL GUIDELINES.—The Commission may adopt initial voluntary voting system guidelines for electronic poll books and remote ballot marking systems without modifying the most recently adopted voluntary voting system guidelines for voting systems.

''(h) DEFINITIONS.—In this section:

''(1) ELECTRONIC POLL BOOK.—The term 'electronic poll book' means the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used—

''(A) to retain the list of registered voters at a polling location, or vote center, or other location at which voters cast votes in an election for Federal office; and

''(B) to identify registered voters who are eligible to vote in an election.

''(2) REMOTE BALLOT MARKING SYSTEM.—The term 'remote ballot marking system' means an election system that—

''(A) is used by a voter to mark their ballots outside of a voting center or polling place; and

''(B) allows a voter to receive a blank ballot to mark electronically, print, and then cast by returning the printed ballot to the elections office or other designated location.''.

(b) PROVIDING FOR CERTIFICATION OF ELECTRONIC POLL BOOKS AND REMOTE BALLOT MARKING SYSTEM.—Section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971(a)) is amended, in each of paragraphs (1) and (2), by inserting '', electronic poll books, and remote ballot marking systems'' after ''software''.

SEC. 4004. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

(a) REQUIRING STATES TO SUBMIT REPORTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 301 the following new section:

''SEC. 301A. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

''(a) REQUIRING STATES TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Commission containing a detailed voting system usage plan for each jurisdiction in the State which will administer the election, including a detailed plan for the usage of electronic poll books and other equipment and components of such system. If a jurisdiction acquires and implements a new voting system within the 120 days before the date of the election, it shall notify the chief State election official of the State, who shall submit to the Commission in a timely manner an updated report under the preceding sentence.

''(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to the regularly scheduled general election for Federal office held in November 2026 and each succeeding regularly scheduled general election for Federal office''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 301 the following new item:

''Sec. 301A. Pre-election reports on voting system usage.''.

SEC. 4005. USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES.

(a) REQUIREMENT.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 3904 and section 3906, is further amended by adding at the end the following new paragraph:

''(10) VOTING MACHINE REQUIREMENTS.—

''(A) MANUFACTURING REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2028, each State shall seek to ensure to the extent practicable that any voting machine used in such election and in any subsequent election for Federal office is manufactured in the United States.

''(B) ASSEMBLY REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2028, each State shall seek to ensure that any voting machine purchased or acquired for such election and in any subsequent election for Federal office is assembled in the United States.

''(C) SOFTWARE AND CODE REQUIREMENTS.—By not later than the date of the regularly scheduled general election for Federal office occurring in November 2028, each State shall seek to ensure that any software or code developed for any voting system purchased or acquired for such election and in any subsequent election for Federal office is developed and stored in the United States.''.

(b) CONFORMING AMENDMENT RELATING TO EFFECTIVE DATE.—Section 301(d)(1) of such Act (52 U.S.C. 21081(d)(1)), as amended by section 3907, is amended by striking ''paragraph (2)'' and inserting ''subsection (a)(10) and paragraph (2)''.

SEC. 4006. USE OF POLITICAL PARTY HEADQUARTERS BUILDING FUND FOR TECHNOLOGY OR CYBERSECURITY-RELATED PURPOSES.

(a) PERMITTING USE OF FUND.—Section 315(a)(9)(B) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(9)(B)) is amended by striking the period at the end and inserting the following: '', and to defray technology or cybersecurity-related expenses.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to calendar year 2026 and each succeeding calendar year.

SEC. 4007. SEVERABILITY.

If any provision of this title or any amendment made by this title, or the application of any 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 by the holding.

SUBDIVISION 3—CIVIC PARTICIPATION AND EMPOWERMENT

TITLE V—NONPARTISAN REDISTRICTING REFORM

SEC. 5001. FINDING OF CONSTITUTIONAL AUTHORITY.

Congress finds that it has the authority to establish the terms and conditions States must follow in carrying out congressional redistricting after an apportionment of Members of the House of Representatives because—

(1) the authority granted to Congress under article I, section 4 of the Constitution of the United States gives Congress the power to enact laws governing the time, place, and manner of elections for Members of the House of Representatives;

(2) the authority granted to Congress under section 5 of the 14th amendment to the Constitution gives Congress the power to enact laws to enforce section 2 of such amendment, which requires Representatives to be apportioned among the several States according to their number;

(3) the authority granted to Congress under section 5 of the 14th amendment to the Constitution gives Congress the power to enact laws to enforce section 1 of such amendment, including protections against excessive partisan gerrymandering that Federal courts have not enforced because they understand such enforcement to be committed to Congress by the Constitution;

(4) of the authority granted to Congress to enforce article IV, section 4, of the Constitution, and the guarantee of a Republican Form of Government to every State, which Federal courts have not enforced because they understand such enforcement to be committed to Congress by the Constitution;

(5) requiring States to use uniform redistricting criteria is an appropriate and important exercise of such authority; and

(6) partisan gerrymandering dilutes citizens' votes because partisan gerrymandering injures voters and political parties by infringing on their First Amendment right to associate freely and their Fourteenth Amendment right to equal protection of the laws.

SEC. 5002. BAN ON MID-DECADE REDISTRICTING.

A State that has been redistricted in accordance with this title may not be redistricted again until after the next apportionment of Representatives under section 22(a) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a), unless a court requires the State to conduct such subsequent redistricting to comply with the Constitution of the United States, the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), the terms or conditions of this title, or applicable State law.

SEC. 5003. CRITERIA FOR REDISTRICTING.

(a) REQUIRING PLANS TO MEET CRITERIA.—A State may not use a congressional redistricting plan enacted following the notice of apportionment transmitted to the President on April 26, 2021, or any subsequent notice of apportionment, if such plan is not in compliance with this section, without regard to whether or not the plan was enacted by the State before, on, or after the effective date of this title.

(b) RANKED CRITERIA.—Under the redistricting plan of a State, there shall be established single-member congressional districts using the following criteria as set forth in the following order of priority:

(1) Districts shall comply with the United States Constitution, including the requirement that they substantially equalize total population, without regard to age, citizenship status, or immigration status.

(2) Districts shall comply with the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.), including by creating any districts where, if based upon the totality of the circumstances, 2 or more politically cohesive groups protected by such Act are able to elect representatives of choice in coalition with one another, and all applicable Federal laws.

(3)(A) Districts shall be drawn, to the extent that the totality of the circumstances warrant, to ensure the practical ability of a group protected under the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) to participate in the political process and to nominate candidates and to elect representatives of choice is not diluted or diminished, regardless of whether or not such protected group constitutes a majority of a district's population, voting age population, or citizen voting age population.

(B) For purposes of subparagraph (A), the assessment of whether a protected group has the practical ability to nominate candidates and to elect representatives of choice shall require the consideration of the following factors:

(i) Whether the group is politically cohesive.

(ii) Whether there is racially polarized voting in the relevant geographic region.

(iii) If there is racially polarized voting in the relevant geographic region, whether the preferred candidates of the group nevertheless receive a sufficient amount of consistent crossover support from other voters such that the group is a functional majority with the ability to both nominate candidates and elect representatives of choice.

(4)(A) Districts shall be drawn to represent communities of interest and neighborhoods to the extent practicable after compliance with the requirements of paragraphs (1) through (3). A community of interest is defined as an area for which the record before the entity responsible for developing and adopting the redistricting plan demonstrates the existence of broadly shared interests and representational needs, including shared interests and representational needs rooted in common ethnic, racial, economic, Indian, social, cultural, geographic, or historic identities, or arising from similar socioeconomic conditions. The term communities of interest may, if the record warrants, include political subdivisions such as counties, municipalities, Indian lands, or school districts, but shall not include common relationships with political parties or political candidates.

(B) For purposes of subparagraph (A), in considering the needs of multiple, overlapping communities of interest, the entity responsible for developing and adopting the redistricting plan shall give greater weight to those communities of interest whose representational needs would most benefit from the community's inclusion in a single congressional district.

(c) NO FAVORING OR DISFAVORING OF POLITICAL PARTIES.—

(1) PROHIBITION.—A State may not use a redistricting plan to conduct an election if the plan's congressional districts, when considered cumulatively on a statewide basis, have been drawn with the intent or have the effect of materially favoring or disfavoring any political party.

(2) DETERMINATION OF EFFECT.—The determination of whether a redistricting plan has the effect of materially favoring or disfavoring a political party shall be based on an evaluation of the totality of circumstances which, at a minimum, shall involve consideration of each of the following factors:

(A) Computer modeling based on relevant statewide general elections for Federal office held over the 8 years preceding the adoption of the redistricting plan setting forth the probable electoral outcomes for the plan under a range of reasonably foreseeable conditions.

(B) An analysis of whether the redistricting plan is statistically likely to result in partisan advantage or disadvantage on a statewide basis, the degree of any such advantage or disadvantage, and whether such advantage or disadvantage is likely to be

present under a range of reasonably foreseeable electoral conditions.

(C) A comparison of the modeled electoral outcomes for the redistricting plan to the modeled electoral outcomes for alternative plans that demonstrably comply with the requirements of paragraphs (1), (2), and (3) of subsection (b) in order to determine whether reasonable alternatives exist that would result in materially lower levels of partisan advantage or disadvantage on a statewide basis. For purposes of this subparagraph, alternative plans considered may include both actual plans proposed during the redistricting process and other plans prepared for purposes of comparison.

(D) Any other relevant information, including how broad support for the redistricting plan was among members of the entity responsible for developing and adopting the plan and whether the processes leading to the development and adoption of the plan were transparent and equally open to all members of the entity and to the public.

(3) REBUTTABLE PRESUMPTION.—

(A) TRIGGER.—In any civil action brought under section 5006 in which a party asserts a claim that a State has enacted a redistricting plan which is in violation of this subsection, a party may file a motion not later than 30 days after the enactment of the plan (or, in the case of a plan enacted before the effective date of this Act, not later than 30 days after the effective date of this Act) requesting that the court determine whether a presumption of such a violation exists. If such a motion is timely filed, the court shall hold a hearing not later than 15 days after the date the motion is filed to assess whether a presumption of such a violation exists.

(B) ASSESSMENT.—To conduct the assessment required under subparagraph (A), the court shall do the following:

(i) Determine the number of congressional districts under the plan that would have been carried by each political party's candidates for the office of President and the office of Senator in the 2 most recent general elections for the office of President and the 2 most recent general elections for the office of Senator (other than special general elections) immediately preceding the enactment of the plan, except that if a State conducts a primary election for the office of Senator which is open to candidates of all political parties, the primary election shall be used instead of the general election and the number of districts carried by a party's candidates for the office of Senator shall be determined on the basis of the combined vote share of all candidates in the election who are affiliated with such party.

(ii) Determine, for each of the 4 elections assessed under clause (i), whether the number of districts that would have been carried by any party's candidate as determined under clause (i) results in partisan advantage or disadvantage in excess of the applicable threshold described in subparagraph (C). The degree of partisan advantage or disadvantage shall be determined by one or more standard quantitative measures of partisan fairness that—

(I) use a party's share of the statewide vote to calculate a corresponding benchmark share of seats; and

(II) measure the amount by which the share of seats the party's candidate would have won in the election involved exceeds the benchmark share of seats.

(C) APPLICABLE THRESHOLD DESCRIBED.—The applicable threshold described in this subparagraph is, with respect to a State and a number of seats, the greater of—

(i) an amount equal to 7 percent of the number of congressional districts in the State; or

(ii) one congressional district.

(D) DESCRIPTION OF QUANTITATIVE MEASURES; PROHIBITING ROUNDING.—In carrying out this subsection—

(i) the standard quantitative measures of partisan fairness used by the court may include the simplified efficiency gap but may not include strict proportionality; and

(ii) the court may not round any number.

(E) PRESUMPTION OF VIOLATION.—A plan is presumed to violate paragraph (1) if, on the basis of at least one standard quantitative measure of partisan fairness, it exceeds the applicable threshold described in subparagraph (C) with respect to 2 or more of the 4 elections assessed under subparagraph (B).

(F) STAY OF USE OF PLAN.—Notwithstanding any other provision of this title, in any action under this paragraph, the following rules shall apply:

(i) Upon filing of a motion under subparagraph (A), a State's use of the plan which is the subject of the motion shall be automatically stayed pending resolution of such motion.

(ii) If after considering the motion, the court rules that the plan is presumed under subparagraph (E) to violate paragraph (1), a State may not use such plan until and unless the court which is carrying out the determination of the effect of the plan under paragraph (2) determines that, notwithstanding the presumptive violation, the plan does not violate paragraph (1).

(G) NO EFFECT ON OTHER ASSESSMENTS.—The absence of a presumption of a violation with respect to a redistricting plan as determined under this paragraph shall not affect the determination of the effect or intent of the plan under this section.

(4) DETERMINATION OF INTENT.—A court may rely on all available evidence when determining whether a redistricting plan was drawn with the intent to materially favor or disfavor a political party, including evidence of the partisan effects of a plan, the degree of support the plan received from members of the entity responsible for developing and adopting the plan, and whether the processes leading to development and adoption of the plan were transparent and equally open to all members of the entity and to the public.

(5) NO VIOLATION BASED ON CERTAIN CRITERIA.—No redistricting plan shall be found to be in violation of paragraph (1) because of the proper application of the criteria set forth in paragraphs (1), (2), or (3) of subsection (b), unless one or more alternative plans could have complied with such paragraphs without having the effect of materially favoring or disfavoring a political party.

(d) FACTORS PROHIBITED FROM CONSIDERATION.—In developing the redistricting plan for the State, the State may not take into consideration any of the following factors, except as necessary to comply with the criteria described in paragraphs (1) through (3) of subsection (b), to achieve partisan fairness and comply with subsection (b), and to enable the redistricting plan to be measured against the external metrics described in section 5004(c):

(1) The residence of any Member of the House of Representatives or candidate.

(2) The political party affiliation or voting history of the population of a district.

(e) ADDITIONAL CRITERIA.—A State may not rely upon criteria, districting principles, or other policies of the State which are not set forth in this section to justify non-compliance with the requirements of this section.

(f) APPLICABILITY.—

(1) IN GENERAL.—This section applies to any authority, whether appointed, elected, judicial, or otherwise, responsible for enacting the congressional redistricting plan of a State.

(2) DATE OF ENACTMENT.—This section applies to any congressional redistricting plan enacted following the notice of apportionment transmitted to the President on April 26, 2021, regardless of the date of enactment by the State of the congressional redistricting plan.

(g) SEVERABILITY OF CRITERIA.—If any provision of this section, or the application of any such provision to any person or circumstance, is held to be unconstitutional, the remainder of this section, and the application of such provision to any other person or circumstance, shall not be affected by the holding.

SEC. 5004. DEVELOPMENT OF PLAN.

(a) PUBLIC NOTICE AND INPUT.—

(1) USE OF OPEN AND TRANSPARENT PROCESS.—The entity responsible for developing and adopting the congressional redistricting plan of a State shall solicit and take into consideration comments from the public throughout the process of developing the plan, and shall carry out its duties in an open and transparent manner which provides for the widest public dissemination reasonably possible of its proposed and final redistricting plans.

(2) WEBSITE.—

(A) FEATURES.—The entity shall maintain a public Internet site which is not affiliated with or maintained by the office of any elected official and which includes the following features:

(i) All proposed redistricting plans and the final redistricting plan, including the accompanying written evaluation under subsection (c).

(ii) All comments received from the public submitted under paragraph (1).

(iii) Access in an easily usable format to the demographic and other data used by the entity to develop and analyze the proposed redistricting plans, together with any reports analyzing and evaluating such plans and access to software that members of the public may use to draw maps of proposed districts.

(iv) A method by which members of the public may submit comments directly to the entity.

(B) SEARCHABLE FORMAT.—The entity shall ensure that all information posted and maintained on the site under this paragraph, including information and proposed maps submitted by the public, shall be maintained in an easily searchable format.

(3) MULTIPLE LANGUAGE REQUIREMENTS FOR ALL NOTICES.—The entity responsible for developing and adopting the plan shall make each notice which is required to be posted and published under this section available in any language in which the State (or any jurisdiction in the State) is required to provide election materials under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503).

(b) DEVELOPMENT OF PLAN.—

(1) HEARINGS.—The entity responsible for developing and adopting the congressional redistricting plan shall hold hearings both before and after releasing proposed plans in order to solicit public input on the content of such plans. These hearings shall—

(A) be held in different regions of the State and streamed live on the public Internet site maintained under subsection (a)(2);

(B) be sufficient in number, scheduled at times and places, and noticed and conducted in a manner to ensure that all members of the public, including members of racial, ethnic, and language minorities protected under the Voting Rights Act of 1965, have a meaningful opportunity to attend and provide input both before and after the entity releases proposed plans.

(2) POSTING OF MAPS.—The entity responsible for developing and adopting the congressional redistricting plan shall make proposed plans, amendments to proposed plans,

and the data needed to analyze such plans for compliance with the criteria of this title available for public review, including on the public Internet site required under subsection (a)(2), for a period of not less than 5 days before any vote or hearing is held on any such plan or any amendment to such a plan.

(c) RELEASE OF WRITTEN EVALUATION OF PLAN AGAINST EXTERNAL METRICS REQUIRED PRIOR TO VOTE.—The entity responsible for developing and adopting the congressional redistricting plan for a State may not hold a vote on a proposed redistricting plan, including a vote in a committee, unless at least 48 hours prior to holding the vote the State has released a written evaluation that measures each such plan against external metrics which cover the criteria set forth in section 5003(b), including the impact of the plan on the ability of members of a class of citizens protected by the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.) to elect candidates of choice, the degree to which the plan preserves or divides communities of interest, and any analysis used by the State to assess compliance with the requirements of section 5003(b) and (c).

(d) PUBLIC INPUT AND COMMENTS.—The entity responsible for developing and adopting the congressional redistricting plan for a State shall make all public comments received about potential plans, including alternative plans, available to the public on the Internet site required under subsection (a)(2), at no cost, not later than 24 hours prior to holding a vote on final adoption of a plan.

SEC. 5005. FAILURE BY STATE TO ENACT PLAN.

(a) DEADLINE FOR ENACTMENT OF PLAN.—

(1) IN GENERAL.—Except as provided in paragraph (2), each State shall enact a final congressional redistricting plan following transmission of a notice of apportionment to the President by the earliest of—

(A) the deadline set forth in State law, including any extension to the deadline provided in accordance with State law;

(B) February 15 of the year in which regularly scheduled general elections for Federal office are held in the State; or

(C) 90 days before the date of the next regularly scheduled primary election for Federal office held in the State.

(2) SPECIAL RULE FOR PLANS ENACTED PRIOR TO EFFECTIVE DATE OF TITLE.—If a State enacted a final congressional redistricting plan prior to the effective date of this title and the plan is not in compliance with the requirements of this title, the State shall enact a final redistricting plan which is in compliance with the requirements of this title not later than 45 days after the effective date of this title.

(b) DEVELOPMENT OF PLAN BY COURT IN CASE OF MISSED DEADLINE.—If a State has not enacted a final congressional redistricting plan by the applicable deadline under subsection (a), or it appears reasonably likely that a State will fail to enact a final congressional redistricting plan by such deadline—

(1) any citizen of the State may file an action in the United States district court for the applicable venue asking the district court to assume jurisdiction;

(2) the United States district court for the applicable venue, acting through a 3-judge court convened pursuant to section 2284 of title 28, United States Code, shall have the exclusive authority to develop and publish the congressional redistricting plan for the State; and

(3) the final congressional redistricting plan developed and published by the court under this section shall be deemed to be enacted on the date on which the court publishes the final congressional redistricting plan, as described in subsection (e).

(c) APPLICABLE VENUE.—For purposes of this section, the ''applicable venue'' with respect to a State is the District of Columbia or the judicial district in which the capital of the State is located, as selected by the first party to file with the court sufficient evidence that a State has failed to, or is reasonably likely to fail to, enact a final redistricting plan for the State prior to the expiration of the applicable deadline set forth in subsection (a).

(d) PROCEDURES FOR DEVELOPMENT OF PLAN.—

(1) CRITERIA.—In developing a redistricting plan for a State under this section, the court shall adhere to the same terms and conditions that applied (or that would have applied, as the case may be) to the development of a plan by the State under section 5003.

(2) ACCESS TO INFORMATION AND RECORDS.—The court shall have access to any information, data, software, or other records and material that was used (or that would have been used, as the case may be) by the State in carrying out its duties under this title.

(3) HEARING; PUBLIC PARTICIPATION.—In developing a redistricting plan for a State, the court shall—

(A) hold one or more evidentiary hearings at which interested members of the public may appear and be heard and present testimony, including expert testimony, in accordance with the rules of the court; and

(B) consider other submissions and comments by the public, including proposals for redistricting plans to cover the entire State or any portion of the State.

(4) USE OF SPECIAL MASTER.—To assist in the development and publication of a redistricting plan for a State under this section, the court may appoint a special master to make recommendations to the court on possible plans for the State.

(e) PUBLICATION OF PLAN.—

(1) PUBLIC AVAILABILITY OF INITIAL PLAN.—Upon completing the development of one or more initial redistricting plans, the court shall make the plans available to the public at no cost, and shall also make available the underlying data used to develop the plans and a written evaluation of the plans against external metrics (as described in section 5004(c)).

(2) PUBLICATION OF FINAL PLAN.—At any time after the expiration of the 14-day period which begins on the date the court makes the plans available to the public under paragraph (1), and taking into consideration any submissions and comments by the public which are received during such period, the court shall develop and publish the final redistricting plan for the State.

(f) USE OF INTERIM PLAN.—In the event that the court is not able to develop and publish a final redistricting plan for the State with sufficient time for an upcoming election to proceed, the court may develop and publish an interim redistricting plan which shall serve as the redistricting plan for the State until the court develops and publishes a final plan in accordance with this section. Nothing in this subsection may be construed to limit or otherwise affect the authority or discretion of the court to develop and publish the final redistricting plan, including the discretion to make any changes the court deems necessary to an interim redistricting plan.

(g) APPEALS.—Review on appeal of any final or interim plan adopted by the court in accordance with this section shall be governed by the appellate process in section 5006.

(h) STAY OF STATE PROCEEDINGS.—The filing of an action under this section shall act as a stay of any proceedings in State court with respect to the State's congressional redistricting plan unless otherwise ordered by the court.

SEC. 5006. CIVIL ENFORCEMENT.

(a) CIVIL ENFORCEMENT.—

(1) ACTIONS BY ATTORNEY GENERAL.—The Attorney General may bring a civil action for such relief as may be appropriate to carry out this title.

(2) AVAILABILITY OF PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—Any person residing or domiciled in a State who is aggrieved by the failure of the State to meet the requirements of the Constitution or Federal law, including this title, with respect to the State's congressional redistricting, may bring a civil action in the United States district court for the applicable venue for such relief as may be appropriate to remedy the failure.

(B) SPECIAL RULE FOR CLAIMS RELATING TO PARTISAN ADVANTAGE.—For purposes of subparagraph (A), a person who is aggrieved by the failure of a State to meet the requirements of section 5003(c) may include—

(i) any political party or committee in the State; and

(ii) any registered voter in the State who resides in a congressional district that the voter alleges was drawn in a manner that contributes to a violation of such section.

(C) NO AWARDING OF DAMAGES TO PREVAILING PARTY.—Except for an award of attorney's fees under subsection (d), a court in a civil action under this section shall not award the prevailing party any monetary damages, compensatory, punitive, or otherwise.

(3) DELIVERY OF COMPLAINT TO HOUSE AND SENATE.—In any action brought under this section, a copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(4) EXCLUSIVE JURISDICTION AND APPLICABLE VENUE.—The district courts of the United States shall have exclusive jurisdiction to hear and determine claims asserting that a congressional redistricting plan violates the requirements of the Constitution or Federal law, including this title. The applicable venue for such an action shall be the United States District Court for the District of Columbia or for the judicial district in which the capital of the State is located, as selected by the person bringing the action. In a civil action that includes a claim that a redistricting plan is in violation of subsection (b) or (c) of section 5003, the United States District Court for the District of Columbia shall have jurisdiction over any defendant who has been served in any United States judicial district in which the defendant resides, is found, or has an agent, or in the United States judicial district in which the capital of the State is located. Process may be served in any United States judicial district where a defendant resides, is found, or has an agent, or in the United States judicial district in which the capital of the State is located.

(5) USE OF 3-JUDGE COURT.—If an action under this section raises statewide claims under the Constitution or this title, the action shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(6) REVIEW OF FINAL DECISION.—A final decision in an action brought under this section shall be reviewable on appeal by the United States Court of Appeals for the District of Columbia Circuit, which shall hear the matter sitting en banc. There shall be no right of appeal in such proceedings to any other court of appeals. Such appeal shall be taken by the filing of a notice of appeal within 10

days of the entry of the final decision. A final decision by the Court of Appeals may be reviewed by the Supreme Court of the United States by writ of certiorari.

(b) EXPEDITED CONSIDERATION.—In any action brought under this section, it shall be the duty of the district court, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court of the United States (if it chooses to hear the action) to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(c) REMEDIES.—

(1) ADOPTION OF REPLACEMENT PLAN.—

(A) IN GENERAL.—If the district court in an action under this section finds that the congressional redistricting plan of a State violates, in whole or in part, the requirements of this title—

(i) the court shall adopt a replacement congressional redistricting plan for the State in accordance with the process set forth in section 5005; or

(ii) if circumstances warrant and no delay to an upcoming regularly scheduled election for the House of Representatives in the State would result, the district court, in its discretion, may allow a State to develop and propose a remedial congressional redistricting plan for review by the court to determine whether the plan is in compliance with this title, except that—

(I) the State may not develop and propose a remedial plan under this clause if the court determines that the congressional redistricting plan of the State was enacted with discriminatory intent in violation of the Constitution or section 5003(b); and

(II) nothing in this clause may be construed to permit a State to use such a remedial plan which has not been approved by the court.

(B) PROHIBITING USE OF PLANS IN VIOLATION OF REQUIREMENTS.—No court shall order a State to use a congressional redistricting plan which violates, in whole or in part, the requirements of this title, or to conduct an election under terms and conditions which violate, in whole or in part, the requirements of this title.

(C) SPECIAL RULE IN CASE FINAL ADJUDICATION NOT EXPECTED WITHIN 3 MONTHS OF ELECTION.—

(i) DUTY OF COURT.—If final adjudication of an action under this section is not reasonably expected to be completed at least 3 months prior to the next regularly scheduled primary election for the House of Representatives in the State, the district court shall—

(I) develop, adopt, and order the use of an interim congressional redistricting plan in accordance with section 5005(f) to address any claims under this title for which a party seeking relief has demonstrated a substantial likelihood of success; or

(II) order adjustments to the timing of primary elections for the House of Representatives and other related deadlines, as needed, to allow sufficient opportunity for adjudication of the matter and adoption of a remedial or replacement plan for use in the next regularly scheduled general elections for the House of Representatives.

(ii) PROHIBITING FAILURE TO ACT ON GROUNDS OF PENDENCY OF ELECTION.—The court may not refuse to take any action described in clause (i) on the grounds of the pendency of the next election held in the State or the potential for disruption, confusion, or additional burdens with respect to the administration of the election in the State.

(2) NO STAY PENDING APPEAL.—Notwithstanding the appeal of an order finding that a congressional redistricting plan of a State violates, in whole or in part, the requirements of this title, no stay shall issue which shall bar the development or adoption of a replacement or remedial plan under this subsection, as may be directed by the district court, pending such appeal. If such a replacement or remedial plan has been adopted, no appellate court may stay or otherwise enjoin the use of such plan during the pendency of an appeal, except upon an order holding, based on the record, that adoption of such plan was an abuse of discretion.

(3) SPECIAL AUTHORITY OF COURT OF APPEALS.—

(A) ORDERING OF NEW REMEDIAL PLAN.—If, upon consideration of an appeal under this title, the Court of Appeals determines that a plan does not comply with the requirements of this title, it shall direct that the District Court promptly develop a new remedial plan with assistance of a special master for consideration by the Court of Appeals.

(B) FAILURE OF DISTRICT COURT TO TAKE TIMELY ACTION.—If, at any point during the pendency of an action under this section, the District Court fails to take action necessary to permit resolution of the case prior to the next regularly scheduled election for the House of Representatives in the State or fails to grant the relief described in paragraph (1)(C), any party may seek a writ of mandamus from the Court of Appeals for the District of Columbia Circuit. The Court of Appeals shall have jurisdiction over the motion for a writ of mandamus and shall establish an expedited briefing and hearing schedule for resolution of the motion. If the Court of Appeals determines that a writ should be granted, the Court of Appeals shall take any action necessary, including developing a congressional redistricting plan with assistance of a special master to ensure that a remedial plan is adopted in time for use in the next regularly scheduled election for the House of Representatives in the State.

(4) EFFECT OF ENACTMENT OF REPLACEMENT PLAN.—A State's enactment of a redistricting plan which replaces a plan which is the subject of an action under this section shall not be construed to limit or otherwise affect the authority of the court to adjudicate or grant relief with respect to any claims or issues not addressed by the replacement plan, including claims that the plan which is the subject of the action was enacted, in whole or in part, with discriminatory intent, or claims to consider whether relief should be granted under section 3(c) of the Voting Rights Act of 1965 (52 U.S.C. 10302(c)) based on the plan which is the subject of the action.

(d) ATTORNEY'S FEES.—In a civil action under this section, the court may allow the prevailing party (other than the United States) reasonable attorney fees, including litigation expenses, and costs.

(e) RELATION TO OTHER LAWS.—

(1) RIGHTS AND REMEDIES ADDITIONAL TO OTHER RIGHTS AND REMEDIES.—The rights and remedies established by this section are in addition to all other rights and remedies provided by law, and neither the rights and remedies established by this section nor any other provision of this title shall supersede, restrict, or limit the application of the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(2) VOTING RIGHTS ACT OF 1965.—Nothing in this title authorizes or requires conduct that is prohibited by the Voting Rights Act of 1965 (52 U.S.C. 10301 et seq.).

(f) LEGISLATIVE PRIVILEGE.—No person, legislature, or State may claim legislative privilege under either State or Federal law in a civil action brought under this section or in any other legal challenge, under either State or Federal law, to a redistricting plan enacted under this title.

(g) REMOVAL.—

(1) IN GENERAL.—At any time, a civil action brought in a State court which asserts a claim for which the district courts of the United States have exclusive jurisdiction under this title may be removed by any party in the case, including an intervenor, by filing, in the district court for an applicable venue under this section, a notice of removal signed pursuant to Rule 11 of the Federal Rules of Civil Procedure containing a short and plain statement of the grounds for removal. Consent of parties shall not be required for removal.

(2) CLAIMS NOT WITHIN THE ORIGINAL OR SUPPLEMENTAL JURISDICTION.—If a civil action removed in accordance with paragraph (1) contains claims not within the original or supplemental jurisdiction of the district court, the district court shall sever all such claims and remand them to the State court from which the action was removed.

SEC. 5007. NO EFFECT ON ELECTIONS FOR STATE AND LOCAL OFFICE.

Nothing in this title or in any amendment made by this title may be construed to affect the manner in which a State carries out elections for State or local office, including the process by which a State establishes the districts used in such elections.

SEC. 5008. EFFECTIVE DATE.

(a) IN GENERAL.—This title and the amendments made by this title shall apply on the date of enactment of this title.

(b) APPLICATION TO CONGRESSIONAL REDISTRICTING PLANS RESULTING FROM 2020 DECENNIAL CENSUS.—Notwithstanding subsection (a), this title and the amendments made by this title, other than section 5004, shall apply with respect to each congressional redistricting plan enacted pursuant to the notice of apportionment transmitted to the President on April 26, 2021, without regard to whether or not a State enacted such a plan prior to the date of the enactment of this Act.

TITLE VI—CAMPAIGN FINANCE TRANSPARENCY

Subtitle A—DISCLOSE Act

SEC. 6001. SHORT TITLE.

This subtitle may be cited as the ''Democracy Is Strengthened by Casting Light On Spending in Elections Act of 2024'' or the ''DISCLOSE Act of 2024''.

SEC. 6002. FINDINGS.

Congress finds the following:

(1) Campaign finance disclosure is a narrowly tailored and minimally restrictive means to advance substantial government interests, including fostering an informed electorate capable of engaging in self-government and holding their elected officials accountable, detecting and deterring quid pro quo corruption, and identifying information necessary to enforce other campaign finance laws, including campaign contribution limits and the prohibition on foreign money in U.S. campaigns. To further these substantial interests, campaign finance disclosure must be timely and complete, and must disclose the true and original source of money given, transferred, and spent to influence Federal elections. Current law does not meet this objective because corporations and other entities that the Supreme Court has permitted to spend money to influence Federal elections are subject to few if any transparency requirements.

(2) As the Supreme Court recognized in its per curiam opinion in *Buckley* v. *Valeo*, 424 U.S. 1, (1976), ''disclosure requirements certainly in most applications appear to be the least restrictive means of curbing the evils of campaign ignorance and corruption that Congress found to exist.'' Buckley, 424 U.S. at 68. In *Citizens United* v. *FEC*, the Court reiterated that ''disclosure is a less restrictive

alternative to more comprehensive regulations of speech.'' 558 U.S. 310, 369 (2010).

(3) No subsequent decision has called these holdings into question, including the Court's decision in *Americans for Prosperity Foundation* v. *Bonta*, 141 S. Ct. 2373 (2021). That case did not involve campaign finance disclosure, and the Court did not overturn its longstanding recognition of the substantial interests furthered by such disclosure.

(4) Campaign finance disclosure is also essential to enforce the Federal Election Campaign Act's prohibition on contributions by and solicitations of foreign nationals. *See* section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121).

(5) Congress should close loopholes allowing spending by foreign nationals in domestic elections. For example, in 2021, the Federal Election Commission, the independent Federal agency charged with protecting the integrity of the Federal campaign finance process, found reason to believe and conciliated a matter where an experienced political consultant knowingly and willfully violated Federal law by soliciting a contribution from a foreign national by offering to transmit a $2,000,000 contribution to a super PAC through his company and two 501(c)(4) organizations, to conceal the origin of the funds. This scheme was only unveiled after appearing in a The Telegraph UK article and video capturing the solicitation. *See* Conciliation Agreement, MURs 7165 & 7196 (Great America PAC, et al.), date June 28, 2021; Factual and Legal Analysis, MURs 7165 & 7196 (Jesse Benton), dated Mar. 2, 2021.

PART 1—CLOSING LOOPHOLES ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS

SEC. 6003. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO CERTAIN DISBURSEMENTS AND ACTIVITIES.

Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and by moving such subparagraphs 2 ems to the right;

(2) by striking ''As used in this section, the term'' and inserting the following: ''DEFINITIONS.—For purposes of this section—

''(1) FOREIGN NATIONAL.—The term'';

(3) by moving paragraphs (1) and (2) two ems to the right and redesignating them as subparagraphs (A) and (B), respectively; and

(4) by adding at the end the following new paragraph:

''(2) CONTRIBUTION AND DONATION.—For purposes of paragraphs (1) and (2) of subsection (a), the term 'contribution or donation' includes any disbursement to a political committee which accepts donations or contributions that do not comply with any of the limitations, prohibitions, and reporting requirements of this Act (or any disbursement to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions), or to any other person for the purpose of funding an expenditure, independent expenditure, or electioneering communication (as defined in section 304(f)(3)).''.

SEC. 6004. STUDY AND REPORT ON ILLICIT FOREIGN MONEY IN FEDERAL ELECTIONS.

(a) STUDY.—For each 4-year election cycle (beginning with the 4-year election cycle ending in 2024), the Comptroller General shall conduct a study on the incidence of illicit foreign money in all elections for Federal office held during the preceding 4-year election cycle, including what information is known about the presence of such money in elections for Federal office.

(b) REPORT.—

(1) IN GENERAL.—Not later than the applicable date with respect to any 4-year election cycle, the Comptroller General shall submit to the appropriate congressional committees a report on the study conducted under subsection (a).

(2) MATTERS INCLUDED.—The report submitted under paragraph (1) shall include a description of the extent to which illicit foreign money was used to target particular groups, including rural communities, African-American and other minority communities, and military and veteran communities, based on such targeting information as is available and accessible to the Comptroller General.

(3) APPLICABLE DATE.—For purposes of paragraph (1), the term ''applicable date'' means—

(A) in the case of the 4-year election cycle ending in 2024, the date that is 1 year after the date of the enactment of this Act; and

(B) in the case of any other 4-year election cycle, the date that is 1 year after the date on which such 4-year election cycle ends.

(c) DEFINITIONS.—As used in this section:

(1) 4-YEAR ELECTION CYCLE.—The term ''4-year election cycle'' means the 4-year period ending on the date of the general election for the offices of President and Vice President.

(2) ILLICIT FOREIGN MONEY.—The term ''illicit foreign money'' means any contribution, donation, expenditure, or disbursement by a foreign national (as defined in section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C.30121(b))) prohibited under such section.

(3) ELECTION; FEDERAL OFFICE.—The terms ''election'' and ''Federal office'' have the meanings given such terms under section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101).

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on House Administration of the House of Representatives;

(B) the Committee on Rules and Administration of the Senate;

(C) the Committee on the Judiciary of the House of Representatives; and

(D) the Committee on the Judiciary of the Senate.

(d) SUNSET.—This section shall not apply to any 4-year election cycle beginning after the election for the offices of President and Vice President in 2032.

SEC. 6005. PROHIBITION ON CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS IN CONNECTION WITH BALLOT INITIATIVES AND REFERENDA.

(a) IN GENERAL.—Section 319(b) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(b)), as amended by section 6003, is amended by adding at the end the following new paragraph:

''(3) FEDERAL, STATE, OR LOCAL ELECTION.—The term 'Federal, State, or local election' includes a State or local ballot initiative or referendum, but only in the case of—

''(A) a covered foreign national described in section 304(j)(3)(C); or

''(B) a foreign principal described in section 1(b)(2) or 1(b)(3) of the Foreign Agent Registration Act of 1938, as amended (22 U.S.C. 611(b)(2) or (b)(3)) or an agent of such a foreign principal under such Act.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections held in 2026 or any succeeding year.

SEC. 6006. DISBURSEMENTS AND ACTIVITIES SUBJECT TO FOREIGN MONEY BAN.

(a) DISBURSEMENTS DESCRIBED.—Section 319(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (B); and

(2) by striking subparagraph (C) and inserting the following:

''(C) an expenditure;

''(D) an independent expenditure;

''(E) a disbursement for an electioneering communication (within the meaning of section 304(f)(3));

''(F) a disbursement for a communication which is placed or promoted for a fee on a website, web application, or digital application that refers to a clearly identified candidate for election for Federal office and is disseminated within 60 days before a general, special or runoff election for the office sought by the candidate or 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate for the office sought by the candidate;

''(G) a disbursement by a covered foreign national described in section 304(j)(3)(C) for a broadcast, cable or satellite communication, or for a communication which is placed or promoted for a fee on a website, web application, or digital application, that promotes, supports, attacks or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the communication contains express advocacy or the functional equivalent of express advocacy);

''(H) a disbursement for a broadcast, cable, or satellite communication, or for any communication which is placed or promoted for a fee on an online platform (as defined in section 304(k)(3)), that discusses a national legislative issue of public importance in a year in which a regularly scheduled general election for Federal office is held, but only if the disbursement is made by a covered foreign national described in section 304(j)(3)(C);

''(I) a disbursement by a covered foreign national described in section 304(j)(3)(C) to compensate any person for internet activity that promotes, supports, attacks or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the activity contains express advocacy or the functional equivalent of express advocacy); or

''(J) a disbursement by a covered foreign national described in section 304(j)(3)(C) for a Federal judicial nomination communication (as defined in section 324(g)(2));''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

SEC. 6007. PROHIBITING ESTABLISHMENT OF CORPORATION TO CONCEAL ELECTION CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS.

(a) PROHIBITION.—Chapter 29 of title 18, United States Code, as amended by section 2001(a), is amended by adding at the end the following:

''§ 613. Establishment of corporation to conceal election contributions and donations by foreign nationals

''(a) OFFENSE.—It shall be unlawful for an owner, officer, attorney, or incorporation agent of a corporation, company, or other entity to establish or use the corporation, company, or other entity with the intent to conceal an activity of a foreign national (as defined in section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121)) prohibited under such section 319.

''(b) PENALTY.—Any person who violates subsection (a) shall be imprisoned for not more than 5 years, fined under this title, or both.''.

(b) TABLE OF SECTIONS.—The table of sections for chapter 29 of title 18, United States Code, as amended by section 2001(b), is amended by inserting after the item relating to section 612 the following:

''613. Establishment of corporation to conceal election contributions and donations by foreign nationals.''.

PART 2—REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS

SEC. 6011. REPORTING OF CAMPAIGN-RELATED DISBURSEMENTS.

(a) IN GENERAL.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126) is amended to read as follows:

''SEC. 324. DISCLOSURE OF CAMPAIGN-RELATED DISBURSEMENTS BY COVERED ORGANIZATIONS.

''(a) DISCLOSURE STATEMENT.—

''(1) IN GENERAL.—Any covered organization that makes campaign-related disbursements aggregating more than $10,000 in an election reporting cycle shall, not later than 24 hours after each disclosure date, file a statement with the Commission made under penalty of perjury that contains the information described in paragraph (2)—

''(A) in the case of the first statement filed under this subsection, for the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the first such disclosure date) and ending on the first such disclosure date; and

''(B) in the case of any subsequent statement filed under this subsection, for the period beginning on the previous disclosure date and ending on such disclosure date.

''(2) INFORMATION DESCRIBED.—The information described in this paragraph is as follows:

''(A) The name of the covered organization and the principal place of business of such organization and, in the case of a covered organization that is a corporation (other than a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d))) or an entity described in subsection (e)(2), a list of the beneficial owners (as defined in paragraph (4)(A)) of the entity that—

''(i) identifies each beneficial owner by name and current residential or business street address; and

''(ii) if any beneficial owner exercises control over the entity through another legal entity, such as a corporation, partnership, limited liability company, or trust, identifies each such other legal entity and each such beneficial owner who will use that other entity to exercise control over the entity.

''(B) The amount of each campaign-related disbursement made by such organization during the period covered by the statement of more than $1,000, and the name and address of the person to whom the disbursement was made.

''(C) In the case of a campaign-related disbursement that is not a covered transfer, the election to which the campaign-related disbursement pertains and if the disbursement is made for a public communication, the name of any candidate identified in such communication and if such communication is in support of or in opposition to the identified candidate.

''(D) A certification by the chief executive officer or person who is the head of the covered organization that the campaign-related disbursement is not made in cooperation, consultation, or concert with or at the request or suggestion of a candidate, authorized committee, or agent of a candidate, political party, or agent of a political party.

''(E)(i) If the covered organization makes campaign-related disbursements using exclusively funds in a campaign-related disbursement segregated fund, for each payment made to the account by a person other than the covered organization—

''(I) the name and address of each person who made such payment to the account during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the account in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2026, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2026.

''(F)(i) If the covered organization makes campaign-related disbursements using funds other than funds in a campaign-related disbursement segregated fund, for each payment to the covered organization—

''(I) the name and address of each person who made such payment during the period covered by the statement;

''(II) the date and amount of such payment; and

''(III) the aggregate amount of all such payments made by the person during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date,

but only if such payment was made by a person who made payments to the covered organization in an aggregate amount of $10,000 or more during the period beginning on the first day of the election reporting cycle (or, if earlier, the period beginning one year before the disclosure date) and ending on the disclosure date.

''(ii) In any calendar year after 2026, section 315(c)(1)(B) shall apply to the amount described in clause (i) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be calendar year 2026.

''(G) Such other information as required in rules established by the Commission to promote the purposes of this section.

''(3) EXCEPTIONS.—

''(A) AMOUNTS RECEIVED IN ORDINARY COURSE OF BUSINESS.—The requirement to include in a statement filed under paragraph (1) the information described in paragraph (2) shall not apply to amounts received by the covered organization in commercial transactions in the ordinary course of any trade or business conducted by the covered organization or in the form of investments (other than investments by the principal shareholder in a limited liability corporation) in the covered organization. For purposes of this subparagraph, amounts received by a covered organization as remittances from an employee to the employee's collective bargaining representative shall be treated as amounts received in commercial transactions in the ordinary course of the business conducted by the covered organization.

''(B) DONOR RESTRICTION ON USE OF FUNDS.—The requirement to include in a statement submitted under paragraph (1) the information described in subparagraph (F) of paragraph (2) shall not apply if—

''(i) the person described in such subparagraph prohibited, in writing, the use of the payment made by such person for campaign-related disbursements; and

''(ii) the covered organization agreed to follow the prohibition and deposited the payment in an account which is segregated from a campaign-related disbursement segregated fund and any other account used to make campaign-related disbursements.

''(C) THREAT OF HARASSMENT OR REPRISAL.—The requirement to include any information relating to the name or address of any person (other than a candidate) in a statement submitted under paragraph (1) shall not apply if the inclusion of the information would subject the person to serious threats, harassment, or reprisals.

''(4) OTHER DEFINITIONS.—For purposes of this section:

''(A) BENEFICIAL OWNER DEFINED.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'beneficial owner' means, with respect to any entity, a natural person who, directly or indirectly—

''(I) exercises substantial control over an entity through ownership, voting rights, agreement, or otherwise; or

''(II) has a substantial interest in or receives substantial economic benefits from the assets of an entity.

''(ii) EXCEPTIONS.—The term 'beneficial owner' shall not include—

''(I) a minor child;

''(II) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(III) a person acting solely as an employee of an entity and whose control over or economic benefits from the entity derives solely from the employment status of the person;

''(IV) a person whose only interest in an entity is through a right of inheritance, unless the person also meets the requirements of clause (i); or

''(V) a creditor of an entity, unless the creditor also meets the requirements of clause (i).

''(iii) ANTI-ABUSE RULE.—The exceptions under clause (ii) shall not apply if used for the purpose of evading, circumventing, or abusing the provisions of clause (i) or paragraph (2)(A).

''(B) CAMPAIGN-RELATED DISBURSEMENT SEGREGATED FUND.—The term 'campaign-related disbursement segregated fund' means a segregated bank account consisting of funds that were paid directly to such account by persons other than the covered organization that controls the account.

''(C) DISCLOSURE DATE.—The term 'disclosure date' means—

''(i) the first date during any election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000; and

''(ii) any other date during such election reporting cycle by which a person has made campaign-related disbursements aggregating more than $10,000 since the most recent disclosure date for such election reporting cycle.

''(D) ELECTION REPORTING CYCLE.—The term 'election reporting cycle' means the 2-year period beginning on the date of the most recent general election for Federal office.

''(E) PAYMENT.—The term 'payment' includes any contribution, donation, transfer, payment of dues, or other payment.

''(b) COORDINATION WITH OTHER PROVISIONS.—Information included in a statement filed under this section may be excluded from statements and reports filed under section 304.

''(c) FILING.—Statements required to be filed under subsection (a) shall be subject to the requirements of section 304(d) to the same extent and in the same manner as if such reports had been required under subsection (c) or (g) of section 304.

''(d) CAMPAIGN-RELATED DISBURSEMENT DEFINED.—

''(1) IN GENERAL.—In this section, the term 'campaign-related disbursement' means a disbursement by a covered organization for any of the following:

''(A) An independent expenditure which expressly advocates the election or defeat of a clearly identified candidate for election for Federal office, or is the functional equivalent of express advocacy because, when taken as a whole, it can be interpreted by a reasonable person only as advocating the election or defeat of a candidate for election for Federal office.

''(B) An applicable public communication.

''(C) An electioneering communication, as defined in section 304(f)(3).

''(D) A covered transfer.

''(2) APPLICABLE PUBLIC COMMUNICATIONS.—

''(A) IN GENERAL.—The term 'applicable public communication' means any public communication that refers to a clearly identified candidate for election for Federal office and which promotes or supports the election of a candidate for that office, or attacks or opposes the election of a candidate for that office, without regard to whether the communication expressly advocates a vote for or against a candidate for that office.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(e) COVERED ORGANIZATION DEFINED.—In this section, the term 'covered organization' means any of the following:

''(1) A corporation (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(2) A limited liability corporation that is not otherwise treated as a corporation for purposes of this Act (other than an organization described in section 501(c)(3) of the Internal Revenue Code of 1986).

''(3) An organization described in section 501(c) of such Code and exempt from taxation under section 501(a) of such Code (other than an organization described in section 501(c)(3) of such Code).

''(4) A labor organization (as defined in section 316(b)).

''(5) Any political organization under section 527 of the Internal Revenue Code of 1986, other than a political committee under this Act (except as provided in paragraph (6)).

''(6) A political committee with an account that accepts donations or contributions that do not comply with the contribution limits or source prohibitions under this Act, but only with respect to such accounts.

''(f) COVERED TRANSFER DEFINED.—

''(1) IN GENERAL.—In this section, the term 'covered transfer' means any transfer or payment of funds by a covered organization to another person if the covered organization—

''(A) designates, requests, or suggests that the amounts be used for—

''(i) campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(B) made such transfer or payment in response to a solicitation or other request for a donation or payment for—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) making a transfer to another person for the purpose of making or paying for such campaign-related disbursements;

''(C) engaged in discussions with the recipient of the transfer or payment regarding—

''(i) the making of or paying for campaign-related disbursements (other than covered transfers); or

''(ii) donating or transferring any amount of such transfer or payment to another person for the purpose of making or paying for such campaign-related disbursements; or

''(D) knew or had reason to know that the person receiving the transfer or payment would make campaign-related disbursements in an aggregate amount of $50,000 or more during the 2-year period beginning on the date of the transfer or payment.

''(2) EXCLUSIONS.—The term 'covered transfer' does not include any of the following:

''(A) A disbursement made by a covered organization in a commercial transaction in the ordinary course of any trade or business conducted by the covered organization or in the form of investments made by the covered organization.

''(B) A disbursement made by a covered organization if—

''(i) the covered organization prohibited, in writing, the use of such disbursement for campaign-related disbursements; and

''(ii) the recipient of the disbursement agreed to follow the prohibition and deposited the disbursement in an account which is segregated from a campaign-related disbursement segregated fund and any other account used to make campaign-related disbursements.

''(3) SPECIAL RULE REGARDING TRANSFERS AMONG AFFILIATES.—

''(A) SPECIAL RULE.—A transfer of an amount by one covered organization to another covered organization which is treated as a transfer between affiliates under subparagraph (C) shall be considered a covered transfer by the covered organization which transfers the amount only if the aggregate amount transferred during the year by such covered organization to that same covered organization is equal to or greater than $50,000.

''(B) DETERMINATION OF AMOUNT OF CERTAIN PAYMENTS AMONG AFFILIATES.—In determining the amount of a transfer between affiliates for purposes of subparagraph (A), to the extent that the transfer consists of funds attributable to dues, fees, or assessments which are paid by individuals on a regular, periodic basis in accordance with a per-individual calculation which is made on a regular basis, the transfer shall be attributed to the individuals paying the dues, fees, or assessments and shall not be attributed to the covered organization.

''(C) DESCRIPTION OF TRANSFERS BETWEEN AFFILIATES.—A transfer of amounts from one covered organization to another covered organization shall be treated as a transfer between affiliates if—

''(i) one of the organizations is an affiliate of the other organization; or

''(ii) each of the organizations is an affiliate of the same organization,

except that the transfer shall not be treated as a transfer between affiliates if one of the organizations is established for the purpose of making campaign-related disbursements.

''(D) DETERMINATION OF AFFILIATE STATUS.—For purposes of subparagraph (C), a covered organization is an affiliate of another covered organization if—

''(i) the governing instrument of the organization requires it to be bound by decisions of the other organization;

''(ii) the governing board of the organization includes persons who are specifically designated representatives of the other organization or are members of the governing board, officers, or paid executive staff members of the other organization, or whose service on the governing board is contingent upon the approval of the other organization; or

''(iii) the organization is chartered by the other organization.

''(E) COVERAGE OF TRANSFERS TO AFFILIATED SECTION 501(C)(3) ORGANIZATIONS.—This paragraph shall apply with respect to an amount transferred by a covered organization to an organization described in paragraph (3) of section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code in the same manner as this paragraph applies to an amount transferred by a covered organization to another covered organization.

''(g) NO EFFECT ON OTHER REPORTING REQUIREMENTS.—Except as provided in subsection (b)(1), nothing in this section shall be construed to waive or otherwise affect any other requirement of this Act which relates to the reporting of campaign-related disbursements.''.

(b) CONFORMING AMENDMENT.—Section 304(f)(6) of such Act (52 U.S.C. 30104) is amended by striking ''Any requirement'' and inserting ''Except as provided in section 324(b), any requirement''.

(c) REGULATIONS.—Not later than 6 months after the date of the enactment of this Act, the Federal Election Commission shall promulgate regulations relating the application of the exemption under section 324(a)(3)(C) of the Federal Election Campaign Act of 1971 (as added by subsection (a)). Such regulations—

(1) shall require that the legal burden of establishing eligibility for such exemption is upon the organization required to make the report required under section 324(a)(1) of such Act (as added by subsection (a)), and

(2) shall be consistent with the principles applied in *Citizens United* v. *Federal Election Commission*, 558 U.S. 310 (2010).

SEC. 6012. REPORTING OF FEDERAL JUDICIAL NOMINATION DISBURSEMENTS.

(a) FINDINGS.—Congress makes the following findings:

(1) A fair and impartial judiciary is critical for our democracy and crucial to maintain the faith of the people of the United States in the justice system. As the Supreme Court held in *Caperton* v. *Massey*, ''there is a serious risk of actual bias—based on objective and reasonable perceptions—when a person with a personal stake in a particular case had a significant and disproportionate influence in placing the judge on the case.'' (*Caperton* v. *A. T. Massey Coal Co*., 556 U.S. 868, 884 (2009)).

(2) Public trust in government is at a historic low. According to polling, most Americans believe that corporations have too much power and influence in politics and the courts.

(3) The prevalence and pervasiveness of dark money drives public concern about corruption in politics and the courts. Dark money is funding for organizations and political activities that cannot be traced to actual donors. It is made possible by loopholes in our tax laws and regulations, weak oversight by the Internal Revenue Service, and donor-friendly court decisions.

(4) Under current law, ''social welfare'' organizations and business leagues can use funds to influence elections so long as political activity is not their ''primary'' activity. Super PACs can accept and spend unlimited contributions from any non-foreign source. These groups can spend tens of millions of dollars on political activities. Such dark

money groups spent an estimated $1,050,000,000 in the 2020 election cycle.

(5) Dark money is used to shape judicial decision-making. This can take many forms, akin to agency capture: influencing judicial selection by controlling who gets nominated and funding candidate advertisements; creating public relations campaigns aimed at mobilizing the judiciary around particular issues; and drafting law review articles, amicus briefs, and other products which tell judges how to decide a given case and provide ready-made arguments for willing judges to adopt.

(6) Over the past decade, nonprofit organizations that do not disclose their donors have spent hundreds of millions of dollars to influence the nomination and confirmation process for Federal judges. One organization alone has spent nearly $40,000,000 on advertisements supporting or opposing Supreme Court nominees since 2016.

(7) Anonymous money spent on judicial nominations is not subject to any disclosure requirements. Federal election laws only regulate contributions and expenditures relating to electoral politics; thus, expenditures, contributions, and advocacy efforts for Federal judgeships are not covered under the Federal Election Campaign Act of 1971. Without more disclosure, the public has no way of knowing whether the people spending money supporting or opposing judicial nominations have business before the courts.

(8) Congress and the American people have a compelling interest in knowing who is funding these campaigns to select and confirm judges to lifetime appointments on the Federal bench.

(b) REPORTING.—Section 324 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30126), as amended by section 6011, is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) APPLICATION TO FEDERAL JUDICIAL NOMINATIONS.—

''(1) IN GENERAL.—For purposes of this section—

''(A) a disbursement by a covered organization for a Federal judicial nomination communication shall be treated as a campaign-related disbursement; and

''(B) in the case of campaign-related disbursements which are for Federal judicial nomination communications—

''(i) the dollar amounts in paragraphs (1) and (2) of subsection (a) shall be applied separately with respect to such disbursements and other campaign-related disbursements;

''(ii) the election reporting cycle shall be the calendar year in which the disbursement for the Federal judicial nomination communication is made;

''(iii) references to a candidate in subsections (a)(2)(C), (a)(2)(D), and (a)(3)(C) shall be treated as references to a nominee for a Federal judge or justice; and

''(iv) the reference to an election in subsection (a)(2)(C) shall be treated as a reference to the nomination of such nominee.

''(2) FEDERAL JUDICIAL NOMINATION COMMUNICATION.—

''(A) IN GENERAL.—The term 'Federal judicial nomination communication' means any communication—

''(i) that is by means of any broadcast, cable, or satellite, paid internet, or paid digital communication, paid promotion, newspaper, magazine, outdoor advertising facility, mass mailing, telephone bank, telephone messaging effort of more than 500 substantially similar calls or electronic messages within a 30-day period, or any other form of general public political advertising; and

''(ii) which promotes, supports, attacks, or opposes the nomination or Senate confirmation of an individual as a Federal judge or justice.

''(B) EXCEPTION.—Such term shall not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, or periodical, unless such facilities are owned or controlled by any political party, political committee, or candidate.

''(C) INTENT NOT REQUIRED.—A disbursement for an item described in subparagraph (A) shall be treated as a disbursement for a Federal judicial nomination communication regardless of the intent of the person making the disbursement.''.

SEC. 6013. COORDINATION WITH FINCEN.

(a) IN GENERAL.—The Director of the Financial Crimes Enforcement Network of the Department of the Treasury shall provide the Federal Election Commission with such information as necessary to assist in administering and enforcing section 324 of the Federal Election Campaign Act of 1971, as amended by this part.

(b) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Chairman of the Federal Election Commission, in consultation with the Director of the Financial Crimes Enforcement Network of the Department of the Treasury, shall submit to Congress a report with recommendations for providing further legislative authority to assist in the administration and enforcement of such section 324.

SEC. 6014. APPLICATION OF FOREIGN MONEY BAN TO DISBURSEMENTS FOR CAMPAIGN-RELATED DISBURSEMENTS CONSISTING OF COVERED TRANSFERS.

Section 319(b)(2) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)), as amended by section 6003, is amended—

(1) by striking ''includes any disbursement'' and inserting ''includes—

''(A) any disbursement'';

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

(3) by adding at the end the following new subparagraph:

''(B) any disbursement, other than a disbursement described in section 324(a)(3)(A), to another person who made a campaign-related disbursement consisting of a covered transfer (as described in section 324) during the 2-year period ending on the date of the disbursement.''.

SEC. 6015. SENSE OF CONGRESS REGARDING IMPLEMENTATION.

It is the sense of Congress that the Federal Election Commission should simplify the process for filing any disclosure required under the provisions of, and amendments made by, this part in order to ensure that such process is as easy and accessible as possible.

SEC. 6016. EFFECTIVE DATE.

The amendments made by this part shall apply with respect to disbursements made on or after January 1, 2026, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

PART 3—OTHER ADMINISTRATIVE REFORMS

SEC. 6021. PETITION FOR CERTIORARI.

Section 307(a)(6) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30107(a)(6)) is amended by inserting ''(including a proceeding before the Supreme Court on certiorari)'' after ''appeal''.

SEC. 6022. JUDICIAL REVIEW OF ACTIONS RELATED TO CAMPAIGN FINANCE LAWS.

(a) IN GENERAL.—Title IV of the Federal Election Campaign Act of 1971 (52 U.S.C. 30141 et seq.) is amended by inserting after section 406 the following new section:

''SEC. 407. JUDICIAL REVIEW.

''(a) IN GENERAL.—If any action is brought for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality or lawfulness of any provision of this Act, including title V, or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the following rules shall apply:

''(1) The action shall be filed in the United States District Court for the District of Columbia and an appeal from the decision of the district court may be taken to the Court of Appeals for the District of Columbia Circuit.

''(2) In the case of an action relating to declaratory or injunctive relief to challenge the constitutionality of a provision, the party filing the action shall concurrently deliver a copy of the complaint to the Clerk of the House of Representatives and the Secretary of the Senate.

''(3) It shall be the duty of the United States District Court for the District of Columbia and the Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

''(b) CLARIFYING SCOPE OF JURISDICTION.—If an action at the time of its commencement is not subject to subsection (a), but an amendment, counterclaim, cross-claim, affirmative defense, or any other pleading or motion is filed challenging, whether facially or as-applied, the constitutionality or lawfulness of this Act or of chapter 95 or 96 of the Internal Revenue Code of 1986, or is brought to with respect to any action of the Commission under chapter 95 or 96 of the Internal Revenue Code of 1986, the district court shall transfer the action to the District Court for the District of Columbia, and the action shall thereafter be conducted pursuant to subsection (a).

''(c) INTERVENTION BY MEMBERS OF CONGRESS.—In any action described in subsection (a) relating to declaratory or injunctive relief to challenge the constitutionality of a provision, any Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require interveners taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

''(d) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), for declaratory or injunctive relief to challenge, whether facially or as-applied, the constitutionality of any provision of this Act or chapter 95 or 96 of the Internal Revenue Code of 1986.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 9011 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9011. JUDICIAL REVIEW.

''For provisions relating to judicial review of certifications, determinations, and actions by the Commission under this chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(2) Section 9041 of the Internal Revenue Code of 1986 is amended to read as follows:

''SEC. 9041. JUDICIAL REVIEW.

''For provisions relating to judicial review of actions by the Commission under this

chapter, see section 407 of the Federal Election Campaign Act of 1971.''.

(3) Section 310 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30110) is repealed.

(4) Section 403 of the Bipartisan Campaign Reform Act of 2002 (52 U.S.C. 30110 note) is repealed.

SEC. 6023. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect and apply on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations to carry out this subtitle and the amendments made by this subtitle.

Subtitle B—Honest Ads

SEC. 6101. SHORT TITLE.

This subtitle may be cited as the ''Honest Ads Act''.

SEC. 6102. PURPOSE.

The purpose of this subtitle is to enhance the integrity of American democracy and national security by improving disclosure requirements for online political advertisements in order to uphold the Supreme Court's well-established standard that the electorate bears the right to be fully informed.

SEC. 6103. FINDINGS.

Congress makes the following findings:

(1) In 2002, the Bipartisan Campaign Reform Act of 2002 (Public Law 107–155) became law, establishing disclosure requirements for political advertisements distributed from a television or radio broadcast station or provider of cable or satellite television. In 2003, the Supreme Court upheld regulations on electioneering communications established under the Act, noting that such requirements ''provide the electorate with information and insure that the voters are fully informed about the person or group who is speaking.'' The Court reaffirmed this conclusion in 2010 by an 8–1 vote.

(2) In its 2006 rulemaking, the Federal Election Commission, the independent Federal agency charged with protecting the integrity of the Federal campaign finance process, noted that 18 percent of all Americans cited the internet as their leading source of news about the 2004 Presidential election. By contrast, Gallup and the Knight Foundation found in 2020 that the majority of Americans, 58 percent, got most of their news about elections online.

(3) According to studies from AdImpact and Borrell Associates, in 2020, an estimated $1,700,000,000 was spent on online political advertising, more than 10 times the amount spent in 2012.

(4) In order to enhance transparency of all political advertisement funding, it is prudent to extend to online internet platforms the same types of political advertisement disclosure requirements applicable to broadcast television and radio stations, and providers of cable and satellite television.

(5) Effective and complete transparency for voters must include information about the true and original source of money given, transferred, and spent on political advertisements made online.

(6) Requiring the disclosure of this information is a necessary and narrowly tailored means to inform the voting public of who is behind digital advertising disseminated to influence their votes and to enable the Federal Election Commission and the Department of Justice to detect and prosecute illegal foreign spending on local, State, and Federal elections and other campaign finance violations.

(7) Paid advertising on large online platforms is different from advertising placed on other common media in terms of the comparatively low cost of reaching large numbers of people, the availability of sophisticated microtargeting, and the ease with which online advertisers, particularly those located outside the United States, can evade disclosure requirements. Requiring large online platforms to maintain public files of information about the online political ads they disseminate is the best and least restrictive means to ensure the voting public has complete information about who is trying to influence their votes and to aid enforcement of other laws, including the prohibition on foreign money in domestic campaigns.

(8) The reach of a few large internet platforms—larger than any broadcast, satellite, or cable provider—has greatly facilitated the scope and effectiveness of disinformation campaigns. For instance, the largest platform has over 247,000,000 American users—over 153,000,000 of them on a daily basis. By contrast, the largest cable television provider has 16,142,000 subscribers, while the largest satellite television provider has 13,300,000 subscribers. And the most-watched television broadcast in United States history had 118,000,000 viewers.

(9) The public nature of broadcast television, radio, and satellite ensures a level of publicity for any political advertisement. These communications are accessible to the press, fact-checkers, and political opponents. This creates strong disincentives for a candidate to disseminate materially false, inflammatory, or contradictory messages to the public. Social media platforms, in contrast, can target portions of the electorate with direct, ephemeral advertisements often on the basis of private information the platform has on individuals, enabling political advertisements that are contradictory, racially or socially inflammatory, or materially false.

(10) Large social media platforms are the only entities in possession of certain key data related to paid online ads, including the exact audience targeted by those ads and their number of impressions. Such information, which cannot be reliably disclosed by the purchasers of ads, is extremely useful for informing the electorate, guarding against corruption, and aiding in the enforcement of existing campaign finance regulations.

(11) Paid advertisements on social media platforms have served as critical tools for foreign online influence campaigns—even those that rely on large amounts of unpaid content—because such ads allow foreign actors to test the effectiveness of different messages, expose their messages to audiences who have not sought out such content, and recruit audiences for future campaigns and posts.

(12) A 2019 Senate Select Committee on Intelligence's Report on Russian Active Measures Campaigns and Interference in the 2016 U.S. Election Volume 2: Russia's Use of Social Media with Additional Views, the Committee recommended ''that Congress examine legislative approaches to ensuring Americans know the sources of online political advertisements. The Federal Election Campaign Act of 1971 requires political advertisements on television, radio and satellite to disclose the sponsor of the advertisement. The same requirements should apply online. This will also help to ensure that the IRA or any similarly situated actors cannot use paid advertisements for purposes of foreign interference.''.

(13) On March 16, 2021, the Office of the Director of National Intelligence released the declassified Intelligence Community assessment of foreign threats to the 2020 U.S. Federal elections. The declassified report found: ''Throughout the election cycle, Russia's online influence actors sought to affect U.S. public perceptions of the candidates, as well as advance Moscow's longstanding goals of undermining confidence in US election processes and increasing sociopolitical divisions among the American people.'' The report also determined that Iran sought to influence the election by ''creating and amplifying social media content that criticized [candidates].''

(14) According to a Wall Street Journal report in April 2021, voluntary ad libraries operated by major platforms rely on foreign governments to self-report political ad purchases. These ad-buys, including those diminishing major human rights violations like the Uighur genocide, are under-reported by foreign government purchasers, with no substantial oversight or repercussions from the platforms.

(15) Multiple reports have indicated that online ads have become a key vector for strategic influence by the People's Republic of China. An April 2021 Wall Street Journal report noted that the Chinese government and Chinese state-owned enterprises are major purchasers of ads on the U.S.'s largest social media platform, including to advance Chinese propaganda.

(16) Large online platforms have made changes to their policies intended to make it harder for foreign actors to purchase political ads. However, these private actions have not been taken by all platforms, have not been reliably enforced, and are subject to immediate change at the discretion of the platforms.

(17) The Federal Election Commission's current regulations on political advertisements do not provide sufficient transparency to uphold the public's right to be fully informed about political advertisements made online.

SEC. 6104. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the dramatic increase in digital political advertisements, and the growing centrality of online platforms in the lives of Americans, requires the Congress and the Federal Election Commission to take meaningful action to ensure that laws and regulations provide the accountability and transparency that is fundamental to our democracy;

(2) free and fair elections require both transparency and accountability which give the public a right to know the true sources of funding for political advertisements, be they foreign or domestic, in order to make informed political choices and hold elected officials accountable; and

(3) transparency of funding for political advertisements is essential to enforce other campaign finance laws, including the prohibition on campaign spending by foreign nationals.

SEC. 6105. EXPANSION OF DEFINITION OF PUBLIC COMMUNICATION.

(a) IN GENERAL.—Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)) is amended by striking ''or satellite communication'' and inserting ''satellite, paid internet, or paid digital communication''.

(b) TREATMENT OF CONTRIBUTIONS AND EXPENDITURES.—Section 301 of such Act (52 U.S.C. 30101) is amended—

(1) in paragraph (8)(B)(v), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''; and

(2) in paragraph (9)(B)—

(A) by amending clause (i) to read as follows:

''(i) any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, publication, periodical, blog, or platform, unless

such broadcasting, print, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''; and

(B) in clause (iv), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''.

(c) DISCLOSURE AND DISCLAIMER STATEMENTS.—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

(1) by striking ''financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''financing any public communication''; and

(2) by striking ''solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''solicits any contribution through any public communication''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated the final regulations necessary to carry out this part and the amendments made by this part by the deadline set forth in subsection (e).

(e) REGULATION.—Not later than 1 year after the date of the enactment of this Act, the Federal Election Commission shall promulgate regulations on what constitutes a paid internet or paid digital communication for purposes of paragraph (22) of section 301 of the Federal Election Campaign Act of 1971(52 U.S.C. 30101(22)), as amended by subsection (a), except that such regulation shall not define a paid internet or paid digital communication to include communications for which the only payment consists of internal resources, such as employee compensation, of the entity paying for the communication.

SEC. 6106. EXPANSION OF DEFINITION OF ELECTIONEERING COMMUNICATION.

(a) EXPANSION TO ONLINE COMMUNICATIONS.—

(1) APPLICATION TO QUALIFIED INTERNET AND DIGITAL COMMUNICATIONS.—

(A) IN GENERAL.—Subparagraph (A) of section 304(f)(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(f)(3)(A)) is amended by striking ''or satellite communication'' each place it appears in clauses (i) and (ii) and inserting ''satellite, or qualified internet or digital communication''.

(B) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

''(D) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—The term 'qualified internet or digital communication' means any communication which is placed or promoted for a fee on an online platform (as defined in subsection (k)(3)).''.

(2) NONAPPLICATION OF RELEVANT ELECTORATE TO ONLINE COMMUNICATIONS.—Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III)) is amended by inserting ''any broadcast, cable, or satellite'' before ''communication''.

(3) NEWS EXEMPTION.—Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, publication, periodical, blog, or platform, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to communications made on or after January 1, 2026, and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. 6107. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking ''shall clearly state'' each place it appears in paragraphs (1), (2), and (3) and inserting ''shall state in a clear and conspicuous manner''; and

(2) by adding at the end the following flush sentence: ''For purposes of this section, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.''.

(b) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

(1) IN GENERAL.—Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

''(e) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

''(1) SPECIAL RULES WITH RESPECT TO STATEMENTS.—In the case of any qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

''(A) state the name of the person who paid for the communication; and

''(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

''(2) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered to be made in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

''(A) TEXT OR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

''(i) appears in letters at least as large as the majority of the text in the communication; and

''(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

''(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

''(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

''(i) is included at either the beginning or the end of the communication; and

''(ii) is made both in—

''(I) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

''(II) an audible format that meets the requirements of subparagraph (B).

''(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraph (A), (B), or (C).''.

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1)(i) and (ii) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in section 304(f)(3)(D) of the Federal Election Campaign Act of 1971).

(c) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ''which is transmitted through radio'' and inserting ''which is in an audio format''; and

(B) by striking ''BY RADIO'' in the heading and inserting ''AUDIO FORMAT'';

(2) in paragraph (1)(B)—

(A) by striking ''which is transmitted through television'' and inserting ''which is in video format''; and

(B) by striking ''BY TELEVISION'' in the heading and inserting ''VIDEO FORMAT''; and

(3) in paragraph (2)—

(A) by striking ''transmitted through radio or television'' and inserting ''made in audio or video format''; and

(B) by striking ''through television'' in the second sentence and inserting ''in video format''.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. 6108. POLITICAL RECORD REQUIREMENTS FOR ONLINE PLATFORMS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as amended by section 3802, is amended by adding at the end the following new subsection:

''(k) DISCLOSURE OF CERTAIN ONLINE ADVERTISEMENTS.—

''(1) IN GENERAL.—

''(A) REQUIREMENTS FOR ONLINE PLATFORMS.—

''(i) IN GENERAL.—An online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any qualified political advertisement which is purchased by a person whose aggregate purchases of qualified political advertisements on such online platform during the calendar year exceeds $500.

''(ii) REQUIREMENT RELATING TO POLITICAL ADS SOLD BY THIRD PARTY ADVERTISING VENDORS.—An online platform that displays a qualified political advertisement sold by a third party advertising vendor shall include on its own platform—

''(I) an easily accessible and identifiable link to the records maintained by the third-party advertising vendor under clause (i) regarding such qualified political advertisement; or

''(II) in any case in which the third party advertising vendor does not make such records available, a statement that no records from the third party advertising vendors records are available.

''(B) REQUIREMENTS FOR ADVERTISERS.—Any person who requests to purchase a qualified political advertisement on an online platform shall provide the online platform with such information as is necessary for the online platform to comply with the requirements of subparagraph (A).

''(2) CONTENTS OF RECORD.—A record maintained under paragraph (1)(A) shall contain—

''(A) a digital copy of the qualified political advertisement;

''(B) a description of the audience that received the advertisement, the number of views generated from the advertisement, and

the date and time that the advertisement is first displayed and last displayed; and

''(C) information regarding—

''(i) the total cost of the advertisement (which may be rounded to the nearest $100);

''(ii) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the national legislative issue to which the advertisement refers (as applicable);

''(iii) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

''(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name and address of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

''(3) ONLINE PLATFORM.—

''(A) IN GENERAL.—For purposes of this subsection, subject to subparagraph (B), the term 'online platform' means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

''(i)(I) sells qualified political advertisements; and

''(II) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months; or

''(ii) is a third-party advertising vendor that has 50,000,000 or more unique monthly United States visitors in the aggregate on any advertisement space that it has sold or bought for a majority of months during the preceding 12 months, as measured by an independent digital ratings service accredited by the Media Ratings Council (or its successor).

''(B) EXEMPTION.—Such term shall not include any online platform that is a distribution facility of any broadcasting station or newspaper, magazine, blog, publication, or periodical.

''(C) THIRD-PARTY ADVERTISING VENDOR DEFINED.—For purposes of this subsection, the term 'third-party advertising vendor' includes any third-party advertising vendor network, advertising agency, advertiser, or third-party advertisement serving company that buys and sells advertisement space on behalf of unaffiliated third-party websites, search engines, digital applications, or social media sites.

''(4) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this subsection, the term 'qualified political advertisement' means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

''(A) is made by or on behalf of a candidate; or

''(B) communicates a message relating to any political matter of national importance, including—

''(i) a candidate;

''(ii) any election to Federal office; or

''(iii) a national legislative issue of public importance.

''(5) TIME TO MAINTAIN FILE.—The information required under this subsection shall be made available as soon as possible and shall be retained by the online platform for a period of not less than 4 years.

''(6) SPECIAL RULE.—For purposes of this subsection, multiple versions of an advertisement that contain no material differences (such as versions that differ only because they contain a recipient's name, or differ only in size, color, font, or layout) may be treated as a single qualified political advertisement.

''(7) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated the final regulations necessary to carry out this part and the amendments made by this part by the deadline set forth in subsection (c).

(c) RULEMAKING.—Not later than 120 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

(1) for determining whether an advertisement communicates a national legislative issue for purposes of section 304(k) of the Federal Election Campaign Act of 1971 (as added by subsection (a));

(2) requiring common data formats for the record required to be maintained under such section 304(k) so that all online platforms submit and maintain data online in a common, machine-readable and publicly accessible format; and

(3) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchaser, and date.

(d) REPORTING.—Not later than 2 years after the date of the enactment of this Act, and biannually thereafter, the Chairman of the Federal Election Commission shall submit a report to Congress on—

(1) matters relating to compliance with and the enforcement of the requirements of section 304(k) of the Federal Election Campaign Act of 1971, as added by subsection (a);

(2) recommendations for any modifications to such section to assist in carrying out its purposes; and

(3) identifying ways to bring transparency and accountability to political advertisements distributed online for free.

SEC. 6109. PREVENTING CONTRIBUTIONS, EXPENDITURES, INDEPENDENT EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121) is amended by adding at the end the following new subsection:

''(c) RESPONSIBILITIES OF BROADCAST STATIONS, PROVIDERS OF CABLE AND SATELLITE TELEVISION, AND ONLINE PLATFORMS.—

''(1) IN GENERAL.—Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(k)(3)) shall make reasonable efforts to ensure that communications described in section 318(a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly.

''(2) REGULATIONS.— Not later than 1 year after the date of the enactment of this subsection, the Commission shall promulgate regulations on what constitutes reasonable efforts under paragraph (1).''.

SEC. 6110. REQUIRING ONLINE PLATFORMS TO DISPLAY NOTICES IDENTIFYING SPONSORS OF POLITICAL ADVERTISEMENTS AND TO ENSURE NOTICES CONTINUE TO BE PRESENT WHEN ADVERTISEMENTS ARE SHARED.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as amended by section 3802 and section 6108(a), is amended by adding at the end the following new subsection:

''(l) ENSURING DISPLAY AND SHARING OF SPONSOR IDENTIFICATION IN ONLINE POLITICAL ADVERTISEMENTS.—

''(1) REQUIREMENT.—Any online platform that displays a qualified political advertisement (regardless of whether such qualified political advertisement was purchased directly from the online platform) shall—

''(A) display with the advertisement a visible notice identifying the sponsor of the advertisement (or, if it is not practical for the platform to display such a notice, a notice that the advertisement is sponsored by a person other than the platform); and

''(B) ensure that the notice will continue to be displayed if a viewer of the advertisement shares the advertisement with others on that platform.

''(2) SAFE HARBOR.—An online platform shall not be treated as having failed to comply with the requirements of paragraph (1)(A) for the misidentification of a person as the sponsor of a the advertisement if—

''(A) the person placing the online advertisement designated the person displayed in the advertisement as the sponsor; and

''(B) the online platform relied on such designation in good faith.

''(3) DEFINITIONS.—In this subsection—

''(A) the term 'online platform' has the meaning given such term in subsection (k)(3);

''(B) the term ''qualified political advertisement' has the meaning given such term in subsection (k)(4); and

''(C) the term 'sponsor' means the person purchasing the advertisement.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to advertisements displayed on or after the 120–day period which begins on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

Subtitle C—Spotlight Act

SEC. 6201. SHORT TITLE.

This subtitle may be cited as the ''Spotlight Act''.

SEC. 6202. INCLUSION OF CONTRIBUTOR INFORMATION ON ANNUAL RETURNS OF CERTAIN ORGANIZATIONS.

(a) REPEAL OF REGULATIONS.—The final regulations of the Department of the Treasury relating to guidance under section 6033 regarding the reporting requirements of exempt organizations (published at 85 Fed. Reg. 31959 (May 28, 2020)) shall have no force and effect.

(b) INCLUSION OF CONTRIBUTOR INFORMATION.—

(1) SOCIAL WELFARE ORGANIZATIONS.—Section 6033(f)(1) of the Internal Revenue Code of 1986 is amended by inserting ''(5),'' after ''paragraphs''.

(2) LABOR ORGANIZATIONS AND BUSINESS LEAGUES.—Section 6033 of such Code is amended by redesignating subsection (o) as subsection (p) and by inserting after subsection (n) the following new subsection:

''(o) ADDITIONAL REQUIREMENTS FOR ORGANIZATIONS DESCRIBED IN SUBSECTIONS (c)(5) AND (c)(6) OF SECTION 501.—Every organization which is described in paragraph (5) or (6) of section 501(c) and which is subject to the requirements of subsection (a) shall include on the return required under subsection (a) the information referred to in subsection (b)(5).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to returns required to be filed for taxable years ending after the date of the enactment of this Act.

(c) MODIFICATION TO DISCRETIONARY EXCEPTIONS.—Section 6033(a)(3)(B) of the Internal

Revenue Code of 1986 is amended to read as follows:

''(B) DISCRETIONARY EXCEPTIONS.—

''(i) IN GENERAL.—Paragraph (1) shall not apply to any organization if the Secretary made a determination under this subparagraph before July 16, 2018, that such filing is not necessary to the efficient administration of the internal revenue laws.

''(ii) RECOMMENDATIONS FOR OTHER EXCEPTIONS.—The Secretary may recommend to Congress that Congress relieve any organization required under paragraph (1) to file an information return from filing such a return if the Secretary determines that such filing does not advance a national security, law enforcement, or tax administration purpose.''.

TITLE VII—CAMPAIGN FINANCE OVERSIGHT

Subtitle A—Stopping Super PAC–Candidate Coordination

SEC. 7001. SHORT TITLE.

This subtitle may be cited as the ''Stop Super PAC–Candidate Coordination Act''.

SEC. 7002. CLARIFICATION OF TREATMENT OF COORDINATED EXPENDITURES AS CONTRIBUTIONS TO CANDIDATES.

(a) TREATMENT AS CONTRIBUTION TO CANDIDATE.—Section 301(8)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(8)(A)) is amended—

(1) by striking ''or'' at the end of clause (i);

(2) by striking the period at the end of clause (ii) and inserting ''; or''; and

(3) by adding at the end the following new clause:

''(iii) any payment made by any person (other than a candidate, an authorized committee of a candidate, or a political committee of a political party) for a coordinated expenditure (as such term is defined in section 325) which is not otherwise treated as a contribution under clause (i) or clause (ii).''.

(b) DEFINITIONS.—Title III of such Act (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

''SEC. 325. PAYMENTS FOR COORDINATED EXPENDITURES.

''(a) COORDINATED EXPENDITURES.—

''(1) IN GENERAL.—For purposes of section 301(8)(A)(iii), the term 'coordinated expenditure' means—

''(A) any expenditure, or any payment for a covered communication described in subsection (e), which is made in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, an authorized committee of a candidate, a political committee of a political party, or agents of the candidate or committee, as defined in subsection (b); or

''(B) any payment for any communication which republishes, disseminates, or distributes, in whole or in part, any video or broadcast or any written, graphic, or other form of campaign material prepared by the candidate or committee or by agents of the candidate or committee (including any excerpt or use of any video from any such broadcast or written, graphic, or other form of campaign material).

''(2) EXCEPTION FOR PAYMENTS FOR CERTAIN COMMUNICATIONS.—A payment for a communication (including a covered communication described in subsection (e)) shall not be treated as a coordinated expenditure under this subsection if—

''(A) the communication appears in a news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate; or

''(B) the communication constitutes a candidate debate or forum conducted pursuant to regulations adopted by the Commission pursuant to section 304(f)(3)(B)(iii), or which solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum.

''(b) COORDINATION DESCRIBED.—

''(1) IN GENERAL.—For purposes of this section, a payment is made 'in cooperation, consultation, or concert with, or at the request or suggestion of,' a candidate, an authorized committee of a candidate, a political committee of a political party, or agents of the candidate or committee, if the payment, or any communication for which the payment is made, is not made entirely independently of the candidate, committee, or agents. For purposes of the previous sentence, a payment or communication not made entirely independently of the candidate or committee includes any payment or communication made pursuant to any general or particular understanding with, or pursuant to any communication with, the candidate, committee, or agents about the payment or communication.

''(2) NO FINDING OF COORDINATION BASED SOLELY ON SHARING OF INFORMATION REGARDING LEGISLATIVE OR POLICY POSITION.—For purposes of this section, a payment shall not be considered to be made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee, solely on the grounds that the person or the person's agent engaged in discussions with the candidate or committee, or with any agent of the candidate or committee, regarding that person's position on a legislative or policy matter (including urging the candidate or committee to adopt that person's position), so long as there is no communication between the person and the candidate or committee, or any agent of the candidate or committee, regarding the candidate's or committee's campaign advertising, message, strategy, policy, polling, allocation of resources, fundraising, or other campaign activities.

''(3) NO EFFECT ON PARTY COORDINATION STANDARD.—Nothing in this section shall be construed to affect the determination of coordination between a candidate and a political committee of a political party for purposes of section 315(d).

''(c) PAYMENTS BY COORDINATED SPENDERS FOR COVERED COMMUNICATIONS.—

''(1) PAYMENTS MADE IN COOPERATION, CONSULTATION, OR CONCERT WITH CANDIDATES.—For purposes of subsection (a)(1)(A), if the person who makes a payment for a covered communication, as defined in subsection (e), is a coordinated spender under paragraph (2) with respect to the candidate as described in paragraph (2), the payment for the covered communication is made in cooperation, consultation, or concert with the candidate.

''(2) COORDINATED SPENDER DEFINED.—For purposes of this subsection, the term 'coordinated spender' means, with respect to a candidate or an authorized committee of a candidate, a person (other than a political committee of a political party) for which any of the following applies:

''(A) During the 4-year period ending on the date on which the person makes the payment, the person was directly or indirectly formed or established by or at the request or suggestion of, or with the encouragement of, the candidate (including an individual who later becomes a candidate) or committee or agents of the candidate or committee, including with the approval of the candidate or committee or agents of the candidate or committee.

''(B) The candidate or committee or any agent of the candidate or committee solicits funds, appears at a fundraising event, or engages in other fundraising activity on the person's behalf during the election cycle involved, including by providing the person with names of potential donors or other lists to be used by the person in engaging in fundraising activity, regardless of whether the person pays fair market value for the names or lists provided. For purposes of this subparagraph, the term 'election cycle' means, with respect to an election for Federal office, the period beginning on the day after the date of the most recent general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election) and ending on the date of the next general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election).

''(C) The person is established, directed, or managed by the candidate or committee or by any person who, during the 4-year period ending on the date on which the person makes the payment, has been employed or retained as a political, campaign media, or fundraising adviser or consultant for the candidate or committee or for any other entity directly or indirectly controlled by the candidate or committee, or has held a formal position with the candidate or committee (including a position as an employee of the office of the candidate at any time the candidate held any Federal, State, or local public office during the 4-year period).

''(D) The person has retained the professional services of any person who, during the 2-year period ending on the date on which the person makes the payment, has provided or is providing professional services relating to the campaign to the candidate or committee, unless the person providing the professional services used a firewall or similar procedure in accordance with subsection (d). For purposes of this subparagraph, the term 'professional services' includes any services in support of the candidate's or committee's campaign activities, including advertising, message, strategy, policy, polling, allocation of resources, fundraising, and campaign operations, but does not include accounting or legal services.

''(E) The person is established, directed, or managed by a member of the immediate family of the candidate, or the person or any officer or agent of the person has had more than incidental discussions about the candidate's campaign with a member of the immediate family of the candidate. For purposes of this subparagraph, the term 'immediate family' has the meaning given such term in section 9004(e) of the Internal Revenue Code of 1986.

''(d) USE OF FIREWALL AS SAFE HARBOR.—

''(1) NO COORDINATION IF FIREWALL APPLIES.—A person shall not be determined to have made a payment in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee in accordance with this section if the person established and used a firewall or similar procedure to restrict the sharing of information between individuals who are employed by or who are serving as agents for the person making the payment, but only if the firewall or similar procedures meet the requirements of paragraph (2).

''(2) REQUIREMENTS DESCRIBED.—The requirements described in this paragraph with respect to a firewall or similar procedure are as follows:

''(A) The firewall or procedure is designed and implemented to prohibit the flow of information between employees and consultants providing services for the person paying for the communication and those employees or consultants providing, or who previously provided, services to a candidate who is clearly identified in the communication or an authorized committee of the candidate, the candidate's opponent or an authorized committee of the candidate's opponent, or a committee of a political party.

''(B) The firewall or procedure must be described in a written policy that is distributed, signed, and dated by all relevant employees, consultants, and clients subject to the policy.

''(C) The policy must be preserved and retained by the person for at least 5 years following any termination or cessation of representation by employees, consultants, and clients who are subject to the policy.

''(D) The policy must prohibit any employees, consultants, and clients who are subject to the policy from attending meetings, trainings, or other discussions where nonpublic plans, projects, activities, or needs of candidates for election for Federal office or political committees are discussed.

''(E) The policy must prohibit each owner of an organization, and each executive, manager, and supervisor within an organization, from simultaneously overseeing the work of employees and consultants who are subject to the firewall or procedure.

''(F) The policy must place restrictions on internal and external communications, including by establishing separate emailing lists, for employees, consultants, and clients who are subject to the firewall or procedure and those who are not subject to the firewall or procedure.

''(G) The policy must require the person to establish separate files, including electronic file folders—

''(i) for employees, consultants, and clients who are subject to the firewall or procedure and to prohibit access to such files by employees, consultants, and clients who are not subject to the firewall or procedure; and

''(ii) for employees, consultants, and clients who are not subject to the firewall or procedure and to prohibit access to such files by employees, consultants, and clients who are subject to the firewall or procedure.

''(H) The person must conduct a training on the applicable requirements and obligations of this Act and the policy for all employees, consultants, and clients.

''(3) EXCEPTION IF INFORMATION IS SHARED REGARDLESS OF FIREWALL.—A person who established and used a firewall or similar procedure which meets the requirements of paragraph (2) shall be determined to have made a payment in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate or committee in accordance with this section if specific information indicates that, notwithstanding the establishment and use of the firewall or similar procedure, information about the candidate's or committee's campaign plans, projects, activities, or needs that is material to the creation, production, or distribution of the covered communication was used or conveyed to the person paying for the communication.

''(4) USE AS DEFENSE TO ENFORCEMENT ACTION.—If, in a procedure or action brought by the Commission under section 309, a person who is alleged to have committed a violation of this Act which involves the making of a contribution which consists of a payment for a coordinated expenditure raises the use of a firewall or similar procedure as a defense, the person shall provide the Commission with—

''(A) a copy of the signed and dated firewall or procedure policy which applied to the person's employees, consultants, or clients whose conduct is at issue in the procedure or action; and

''(B) a sworn, written affidavit of the employees, consultants, or clients who were subject to the policy that the terms, conditions, and requirements of the policy were met.

''(e) COVERED COMMUNICATION DEFINED.—

''(1) IN GENERAL.—For purposes of this section, the term 'covered communication' means, with respect to a candidate or an authorized committee of a candidate, a public communication (as defined in section 301(22)) which—

''(A) expressly advocates the election of the candidate or the defeat of an opponent of the candidate (or contains the functional equivalent of express advocacy);

''(B) promotes or supports the election of the candidate, or attacks or opposes the election of an opponent of the candidate (regardless of whether the communication expressly advocates the election or defeat of a candidate or contains the functional equivalent of express advocacy); or

''(C) refers to the candidate or an opponent of the candidate but is not described in subparagraph (A) or subparagraph (B), but only if the communication is disseminated during the applicable election period.

''(2) APPLICABLE ELECTION PERIOD.—In paragraph (1)(C), the 'applicable election period' with respect to a communication means—

''(A) in the case of a communication which refers to a candidate in a general, special, or runoff election, the 120-day period which ends on the date of the election; or

''(B) in the case of a communication which refers to a candidate in a primary or preference election, or convention or caucus of a political party that has authority to nominate a candidate, the 60-day period which ends on the date of the election or convention or caucus.

''(3) SPECIAL RULES FOR COMMUNICATIONS INVOLVING CONGRESSIONAL CANDIDATES.—For purposes of this subsection, a public communication shall not be considered to be a covered communication with respect to a candidate for election for an office other than the office of President or Vice President unless it is publicly disseminated or distributed in the jurisdiction of the office the candidate is seeking.

''(f) PENALTY.—

''(1) DETERMINATION OF AMOUNT.—Any person who knowingly and willfully commits a violation of this Act which involves the making of a contribution which consists of a payment for a coordinated expenditure shall be fined an amount equal to the greater of—

''(A) in the case of a person who makes a contribution which consists of a payment for a coordinated expenditure in an amount exceeding the applicable contribution limit under this Act, 300 percent of the amount by which the amount of the payment made by the person exceeds such applicable contribution limit; or

''(B) in the case of a person who is prohibited under this Act from making a contribution in any amount, 300 percent of the amount of the payment made by the person for the coordinated expenditure.

''(2) JOINT AND SEVERAL LIABILITY.—Any director, manager, or officer of a person who is subject to a penalty under paragraph (1) shall be jointly and severally liable for any amount of such penalty that is not paid by the person prior to the expiration of the 1-year period which begins on the date the Commission imposes the penalty or the 1-year period which begins on the date of the final judgment following any judicial review of the Commission's action, whichever is later.''.

(c) EFFECTIVE DATE.—

(1) REPEAL OF EXISTING REGULATIONS ON COORDINATION.—Effective upon the expiration of the 90-day period which begins on the date of the enactment of this Act—

(A) the regulations on coordinated communications adopted by the Federal Election Commission which are in effect on the date of the enactment of this Act (as set forth under the heading ''Coordination'' in subpart C of part 109 of title 11, Code of Federal Regulations) are repealed; and

(B) the Federal Election Commission shall promulgate new regulations on coordinated communications which reflect the amendments made by this Act.

(2) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to payments made on or after the expiration of the 120-day period which begins on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations in accordance with paragraph (1)(B) as of the expiration of such period.

Subtitle B—Restoring Integrity to America's Elections

SEC. 7101. SHORT TITLE.

This subtitle may be cited as the ''Restoring Integrity to America's Elections Act''.

SEC. 7102. REVISION TO ENFORCEMENT PROCESS.

(a) STANDARD FOR INITIATING INVESTIGATIONS AND DETERMINING WHETHER VIOLATIONS HAVE OCCURRED.—

(1) REVISION OF STANDARDS.—Section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)) is amended by striking paragraphs (2) and (3) and inserting the following:

''(2)(A) The general counsel, upon receiving a complaint filed with the Commission under paragraph (1) or upon the basis of information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities, shall make a determination as to whether or not there is reason to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, and as to whether or not the Commission should either initiate an investigation of the matter or that the complaint should be dismissed. The general counsel shall promptly provide notification to the Commission of such determination and the reasons therefore, together with any written response submitted under paragraph (1) by the person alleged to have committed the violation. Upon the expiration of the 30-day period which begins on the date the general counsel provides such notification, the general counsel's determination shall take effect, unless during such 30-day period the Commission, by vote of a majority of the members of the Commission who are serving at the time, overrules the general counsel's determination. If the determination by the general counsel that the Commission should investigate the matter takes effect, or if the determination by the general counsel that the complaint should be dismissed is overruled as provided under the previous sentence, the general counsel shall initiate an investigation of the matter on behalf of the Commission.

''(B) If the Commission initiates an investigation pursuant to subparagraph (A), the Commission, through the Chair, shall notify the subject of the investigation of the alleged violation. Such notification shall set forth the factual basis for such alleged violation. The Commission shall make an investigation of such alleged violation, which may include a field investigation or audit, in accordance with the provisions of this section. The general counsel shall provide notification to the Commission of any intent to issue a subpoena or conduct any other form of discovery pursuant to the investigation. Upon the expiration of the 15-day period which begins on the date the general counsel provides such notification, the general counsel may issue the subpoena or conduct the discovery, unless during such 15-day period the Commission, by vote of a majority of the members of the Commission who are serving at the time, prohibits the general counsel from issuing the subpoena or conducting the discovery.

''(3)(A) Upon completion of an investigation under paragraph (2), the general counsel shall make a determination as to whether or not there is probable cause to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, and shall promptly submit such determination to the Commission, and shall include with the determination a brief stating the position of the general counsel on the legal and factual issues of the case.

''(B) At the time the general counsel submits to the Commission the determination under subparagraph (A), the general counsel shall simultaneously notify the respondent of such determination and the reasons therefore, shall provide the respondent with an opportunity to submit a brief within 30 days stating the position of the respondent on the legal and factual issues of the case and replying to the brief of the general counsel. The general counsel shall promptly submit such brief to the Commission upon receipt.

''(C) Upon the expiration of the 30-day period which begins on the date the general counsel submits the determination to the Commission under subparagraph (A) (or, if the respondent submits a brief under subparagraph (B), upon the expiration of the 30-day period which begins on the date the general counsel submits the respondent's brief to the Commission under such subparagraph), the general counsel's determination shall take effect, unless during such 30-day period the Commission, by vote of a majority of the members of the Commission who are serving at the time, overrules the general counsel's determination. If the determination by the general counsel that there is probable cause to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of the Internal Revenue Code of 1986, or if the determination by the general counsel that there is not probable cause that a person has committed or is about to commit such a violation is overruled as provided under the previous sentence, for purposes of this subsection, the Commission shall be deemed to have determined that there is probable cause that the person has committed or is about to commit such a violation.''.

(2) CONFORMING AMENDMENT RELATING TO INITIAL RESPONSE TO FILING OF COMPLAINT.—Section 309(a)(1) of such Act (52 U.S.C. 30109(a)(1)) is amended—

(A) in the third sentence, by striking ''the Commission'' and inserting ''the general counsel''; and

(B) by amending the fourth sentence to read as follows: ''Not later than 15 days after receiving notice from the general counsel under the previous sentence, the person may provide the general counsel with a written response that no action should be taken against such person on the basis of the complaint.''.

(b) REVISION OF STANDARD FOR REVIEW OF DISMISSAL OF COMPLAINTS.—

(1) IN GENERAL.—Section 309(a)(8) of such Act (52 U.S.C. 30109(a)(8)) is amended to read as follows:

''(8)(A)(i) Any party aggrieved by an order of the Commission dismissing a complaint filed by such party may file a petition with the United States District Court for the District of Columbia. Any petition under this subparagraph shall be filed within 60 days after the date on which the party received notice of the dismissal of the complaint.

''(ii) In any proceeding under this subparagraph, the court shall determine by de novo review whether the agency's dismissal of the complaint is contrary to law. In any matter in which the penalty for the alleged violation is greater than $50,000, the court should disregard any claim or defense by the Commission of prosecutorial discretion as a basis for dismissing the complaint.

''(B)(i) Any party who has filed a complaint with the Commission and who is aggrieved by a failure of the Commission, within one year after the filing of the complaint, to act on such complaint, may file a petition with the United States District Court for the District of Columbia.

''(ii) In any proceeding under this subparagraph, the court shall determine by de novo review whether the agency's failure to act on the complaint is contrary to law.

''(C) In any proceeding under this paragraph the court may declare that the dismissal of the complaint or the failure to act is contrary to law, and may direct the Commission to conform with such declaration within 30 days, failing which the complainant may bring, in the name of such complainant, a civil action to remedy the violation involved in the original complaint.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply—

(A) in the case of complaints which are dismissed by the Federal Election Commission, with respect to complaints which are dismissed on or after the date of the enactment of this Act; and

(B) in the case of complaints upon which the Federal Election Commission failed to act, with respect to complaints which were filed on or after the date of the enactment of this Act.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Election Commission shall promulgate new regulations on the enforcement process under section 309 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109) to take into account the amendments made by this section.

SEC. 7103. OFFICIAL EXERCISING THE RESPONSIBILITIES OF THE GENERAL COUNSEL.

Section 306(f)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(f)(1)) is amended by adding at the end the following new sentence: ''In the event of a vacancy in the position of the General Counsel, the most senior attorney employed within the Office of the General Counsel at the time the vacancy arises shall exercise all the responsibilities of the General Counsel until the vacancy is filled.''.

SEC. 7104. PERMITTING APPEARANCE AT HEARINGS ON REQUESTS FOR ADVISORY OPINIONS BY PERSONS OPPOSING THE REQUESTS.

(a) IN GENERAL.—Section 308 of such Act (52 U.S.C. 30108) is amended by adding at the end the following new subsection:

''(e) To the extent that the Commission provides an opportunity for a person requesting an advisory opinion under this section (or counsel for such person) to appear before the Commission to present testimony in support of the request, and the person (or counsel) accepts such opportunity, the Commission shall provide a reasonable opportunity for an interested party who submitted written comments under subsection (d) in response to the request (or counsel for such interested party) to appear before the Commission to present testimony in response to the request.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to requests for advisory opinions under section 308 of the Federal Election Campaign Act of 1971 which are made on or after the date of the enactment of this Act.

SEC. 7105. PERMANENT EXTENSION OF ADMINISTRATIVE PENALTY AUTHORITY.

Section 309(a)(4)(C)(v) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(4)(C)(v)) is amended by striking '', and that end on or before December 31, 2033''.

SEC. 7106. RESTRICTIONS ON EX PARTE COMMUNICATIONS.

Section 306(e) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(e)) is amended—

(1) by striking ''(e) The Commission'' and inserting ''(e)(1) The Commission''; and

(2) by adding at the end the following new paragraph:

''(2) Members and employees of the Commission shall be subject to limitations on ex parte communications, as provided in the regulations promulgated by the Commission regarding such communications which are in effect on the date of the enactment of this paragraph.''.

SEC. 7107. CLARIFYING AUTHORITY OF FEC ATTORNEYS TO REPRESENT FEC IN SUPREME COURT.

(a) CLARIFYING AUTHORITY.—Section 306(f)(4) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106(f)(4)) is amended by striking ''any action instituted under this Act, either (A) by attorneys'' and inserting ''any action instituted under this Act, including an action before the Supreme Court of the United States, either (A) by the General Counsel of the Commission and other attorneys''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to actions instituted before, on, or after the date of the enactment of this Act.

SEC. 7108. REQUIRING FORMS TO PERMIT USE OF ACCENT MARKS.

(a) REQUIREMENT.—Section 311(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30111(a)(1)) is amended by striking the semicolon at the end and inserting the following: '', and shall ensure that all such forms (including forms in an electronic format) permit the person using the form to include an accent mark as part of the person's identification;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect upon the expiration of the 90-day period which begins on the date of the enactment of this Act.

SEC. 7109. EXTENSION OF THE STATUTES OF LIMITATIONS FOR OFFENSES UNDER THE FEDERAL ELECTION CAMPAIGN ACT OF 1971.

(a) CIVIL OFFENSES.—Section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)) is amended by inserting after paragraph (9) the following new paragraph:

''(10) No person shall be subject to a civil penalty under this subsection with respect to a violation of this Act unless a complaint is filed with the Commission with respect to the violation under paragraph (1), or the Commission responds to information with respect to the violation which is ascertained in the normal course of carrying out its supervisory responsibilities under paragraph (2), not later than 10 years after the date on which the violation occurred.''.

(b) CRIMINAL OFFENSES.—Section 406(a) of such Act (52 U.S.C. 30145(a)) is amended by striking ''5 years'' and inserting ''10 years''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to violations occurring on or after the date of enactment of this Act.

SEC. 7110. EFFECTIVE DATE; TRANSITION.

(a) IN GENERAL.—Except as otherwise provided, this subtitle and the amendments made by this subtitle shall take effect and apply on the date of the enactment of this Act, without regard to whether or not the Federal Election Commission has promulgated regulations to carry out this subtitle and the amendments made by this subtitle.

(b) TRANSITION.—

(1) NO EFFECT ON EXISTING CASES OR PROCEEDINGS.—Nothing in this subtitle or in any amendment made by this subtitle shall affect any of the powers exercised by the Federal Election Commission prior to the date

of the enactment of this Act, including any investigation initiated by the Commission prior to such date or any proceeding (including any enforcement action) pending as of such date.

(2) TREATMENT OF CERTAIN COMPLAINTS.—If, as of the date of the enactment of this Act, the General Counsel of the Federal Election Commission has not made any recommendation to the Commission under section 309(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109) with respect to a complaint filed prior to the date of the enactment of this Act, this subtitle and the amendments made by this subtitle shall apply with respect to the complaint in the same manner as this subtitle and the amendments made by this subtitle apply with respect to a complaint filed on or after the date of the enactment of this Act.

TITLE VIII—CITIZEN EMPOWERMENT

Subtitle A—Funding to Promote Democracy

PART 1—PAYMENTS AND ALLOCATIONS TO STATES

SEC. 8001. DEMOCRACY ADVANCEMENT AND INNOVATION PROGRAM.

(a) ESTABLISHMENT.—There is established a program to be known as the ''Democracy Advancement and Innovation Program'' under which the Director of the Office of Democracy Advancement and Innovation shall make allocations to each State for each fiscal year to carry out democracy promotion activities described in subsection (b).

(b) DEMOCRACY PROMOTION ACTIVITIES DESCRIBED.—The democracy promotion activities described in this subsection are as follows:

(1) Activities to promote innovation to improve efficiency and smooth functioning in the administration of elections for Federal office and to secure the infrastructure used in the administration of such elections, including making upgrades to voting equipment and voter registration systems, securing voting locations, expanding polling places and the availability of early and mail voting, recruiting and training nonpartisan election officials, and promoting cybersecurity.

(2) Activities to ensure equitable access to democracy, including the following:

(A) Enabling candidates who seek office in the State to receive payments as participating candidates under title V of the Federal Election Campaign Act of 1971 (as added by subtitle B), but only if the State will enable candidates to receive such payments during an entire election cycle.

(B) Operating a Democracy Credit Program under part 1 of subtitle B, but only if the State will operate the program during an entire election cycle.

(C) Other activities to ensure equitable access to democracy, including administering a ranked-choice voting system and carrying out Congressional redistricting through independent commissions.

(3) Activities to increase access to voting in elections for Federal office by underserved communities, individuals with disabilities, racial and language minority groups, individuals entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act, and voters residing in Indian lands.

(c) PERMITTING STATES TO RETAIN AND RESERVE ALLOCATIONS FOR FUTURE USE.—A State may retain and reserve an allocation received for a fiscal year to carry out democracy promotion activities in any subsequent fiscal year.

(d) REQUIRING SUBMISSION AND APPROVAL OF STATE PLAN.—

(1) IN GENERAL.—A State shall receive an allocation under the Program for a fiscal year if—

(A) not later than 90 days before the first day of the fiscal year, the chief State election official of the State submits to the Director the State plan described in section 8002; and

(B) not later than 45 days before the first day of the fiscal year, the Director, in consultation with the Election Assistance Commission and the Federal Election Commission as described in paragraph (3), determines that the State plan will enable the State to carry out democracy promotion activities and approves the plan.

(2) SUBMISSION AND APPROVAL OF REVISED PLAN.—If the Director does not approve the State plan as submitted by the State under paragraph (1) with respect to a fiscal year, the State shall receive a payment under the Program for the fiscal year if, at any time prior to the end of the fiscal year—

(A) the chief State election official of the State submits a revised version of the State plan; and

(B) the Director, in consultation with the Election Assistance Commission and the Federal Election Commission as described in paragraph (3), determines that the revised version of the State plan will enable the State to carry out democracy promotion activities and approves the plan.

(3) ELECTION ASSISTANCE COMMISSION AND FEDERAL ELECTION COMMISSION CONSULTATION.—With respect to a State plan submitted under paragraph (1) or a revised plan submitted under paragraph (2)—

(A) the Director shall, prior to making a determination on approval of the plan, consult with the Election Assistance Commission with respect to the proposed State activities described in subsection (b)(1) and with the Federal Election Commission with respect to the proposed State activities described in subsection (b)(2)(A) and (b)(2)(B); and

(B) the Election Assistance Commission and the Federal Election Commission shall submit to the Director a written assessment with respect to whether the proposed activities of the plan satisfy the requirements of this Act.

(4) CONSULTATION WITH LEGISLATURE.—The chief State election official of the State shall develop the State plan submitted under paragraph (1) and the revised plan submitted under paragraph (2) in consultation with the majority party and minority party leaders of each house of the State legislature.

(e) STATE REPORT ON USE OF ALLOCATIONS.—Not later than 90 days after the last day of a fiscal year for which an allocation was made to the State under the Program, the chief State election official of the State shall submit a report to the Director describing how the State used the allocation, including a description of the democracy promotion activities the State carried out with the allocation.

(f) PUBLIC AVAILABILITY OF INFORMATION.—

(1) PUBLICLY AVAILABLE WEBSITE.—The Director shall make available on a publicly accessible website the following:

(A) State plans submitted under paragraph (1) of subsection (d) and revised plans submitted under paragraph (2) of subsection (d).

(B) The Director's notifications of determinations with respect to such plans under subsection (d).

(C) Reports submitted by States under subsection (e).

(2) REDACTION.— The Director may redact information required to be made available under paragraph (1) if the information would be properly withheld from disclosure under section 552 of title 5, United States Code, or if the public disclosure of the information is otherwise prohibited by law.

(g) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2027 and each succeeding fiscal year.

SEC. 8002. STATE PLAN.

(a) CONTENTS.—A State plan under this section with respect to a State is a plan containing each of the following:

(1) A description of the democracy promotion activities the State will carry out with the payment made under the Program.

(2) A statement of whether or not the State intends to retain and reserve the payment for future democracy promotion activities.

(3) A description of how the State intends to allocate funds to carry out the proposed activities, which shall include the amount the State intends to allocate to each such activity, including (if applicable) a specific allocation for—

(A) activities described in subsection 8001(b)(1) (relating to election administration);

(B) activities described in section 8001(b)(2)(A) (relating to payments to participating candidates in the State under title V of the Federal Election Campaign Act of 1971), together with the information required under subsection (c);

(C) activities described in section 8001(b)(2)(B) (relating to the operation of a Democracy Credit Program under part 1 of subtitle B);

(D) activities described in section 8001(b)(2)(C) (relating to other activities to ensure equitable access to democracy); and

(E) activities described in section 8001(b)(3) (relating to activities to increase access to voting in elections for Federal office by certain communities).

(4) A description of how the State will establish the fund described in subsection (b) for purposes of administering the democracy promotion activities which the State will carry out with the payment, including information on fund management.

(5) A description of the State-based administrative complaint procedures established for purposes of section 8003(b).

(6) A statement regarding whether the proposed activities to be funded are permitted under State law, or whether the official intends to seek legal authorization for such activities.

(b) REQUIREMENTS FOR FUND.—

(1) FUND DESCRIBED.—For purposes of subsection (a)(4), a fund described in this subsection with respect to a State is a fund which is established in the treasury of the State government, which is used in accordance with paragraph (2), and which consists of the following amounts:

(A) Amounts appropriated or otherwise made available by the State for carrying out the democracy promotion activities for which the payment is made to the State under the Program.

(B) The payment made to the State under the Program.

(C) Such other amounts as may be appropriated under law.

(D) Interest earned on deposits of the fund.

(2) USE OF FUND.—Amounts in the fund shall be used by the State exclusively to carry out democracy promotion activities for which the payment is made to the State under the Program.

(3) TREATMENT OF STATES THAT REQUIRE CHANGES TO STATE LAW.—In the case of a State that requires State legislation to establish the fund described in this subsection, the Director shall defer disbursement of the payment to such State under the Program until such time as legislation establishing the fund is enacted.

(c) SPECIFIC INFORMATION ON USE OF FUNDS TO ENABLE CANDIDATES TO PARTICIPATE IN MATCHING FUNDS PROGRAM.—If the State

plan under this section includes an allocation for activities described in section 8001(b)(2)(A) (relating to payments to participating candidates in the State under title V of the Federal Election Campaign Act of 1971), the State shall include in the plan specific information on how the amount of the allocation will enable the State to provide for the viable participation of candidates in the State under such title, including the assumptions made by the State in determining the amount of the allocation.

SEC. 8003. PROHIBITING REDUCTION IN ACCESS TO PARTICIPATION IN ELECTIONS.

(a) PROHIBITING USE OF PAYMENTS.—A State may not use a payment made under the Program to carry out any activity which has the purpose or effect of diminishing the ability of any citizen of the United States to participate in the electoral process.

(b) STATE-BASED ADMINISTRATIVE COMPLAINT PROCEDURES.—

(1) ESTABLISHMENT.—A State receiving a payment under the Program shall establish uniform and nondiscriminatory State-based administrative complaint procedures under which any person who believes that a violation of subsection (a) has occurred, is occurring, or is about to occur may file a complaint.

(2) NOTIFICATION TO DIRECTOR.—The State shall transmit to the Director a description of each complaint filed under the procedures, together with—

(A) if the State provides a remedy with respect to the complaint, a description of the remedy; or

(B) if the State dismisses the complaint, a statement of the reasons for the dismissal.

(3) REVIEW BY DIRECTOR.—

(A) REQUEST FOR REVIEW.—Any person who is dissatisfied with the final decision under a State-based administrative complaint procedure under this subsection may, not later than 60 days after the decision is made, file a request with the Director to review the decision.

(B) ACTION BY DIRECTOR.—Upon receiving a request under subparagraph (A), the Director shall review the decision and, in accordance with such procedures as the Director may establish, including procedures to provide notice and an opportunity for a hearing, may uphold the decision or reverse the decision and provide an appropriate remedy.

(C) PUBLIC AVAILABILITY OF MATERIAL.—The Director shall make available on a publicly accessible website all material relating to a request for review and determination by the Director under this paragraph, shall be made available on a publicly accessible website, except that the Director may redact material required to be made available under this subparagraph if the material would be properly withheld from disclosure under section 552 of title 5, United States Code, or if the public disclosure of the material is otherwise prohibited by law.

(4) RIGHT TO PETITION FOR REVIEW.—

(A) IN GENERAL.—Any person aggrieved by an action of the Director under subparagraph (B) of paragraph (3) may file a petition with the United States District Court for the District of Columbia.

(B) DEADLINE TO FILE PETITION.—Any petition under this subparagraph shall be filed not later than 60 days after the date of the action taken by the Director under subparagraph (B) of paragraph (3).

(C) STANDARD OF REVIEW.—In any proceeding under this paragraph, the court shall determine whether the action of the Director was arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law under section 706 of title 5, United States Code, and may direct the Office to conform with any such determination within 30 days.

(c) ACTION BY ATTORNEY GENERAL FOR DECLARATORY AND INJUNCTIVE RELIEF.—The Attorney General may bring a civil action against any State in an appropriate United States District Court for such declaratory and injunctive relief (including a temporary restraining order, a permanent or temporary injunction, or other order) as may be necessary to enforce subsection (a).

SEC. 8004. AMOUNT OF STATE ALLOCATION.

(a) STATE-SPECIFIC AMOUNT.—The amount of the allocation made to a State under the Program for a fiscal year shall be equal to the product of—

(1) the Congressional district allocation amount (determined under subsection (b)); and

(2) the number of Congressional districts in the State for the next regularly scheduled general election for Federal office held in the State.

(b) CONGRESSIONAL DISTRICT ALLOCATION AMOUNT.—For purposes of subsection (a), the ''Congressional district allocation amount'' with respect to a fiscal year is equal to the quotient of—

(1) the aggregate amount available for allocations to States under the Program for the fiscal year, as determined by the Director under subsection (c); divided by

(2) the total number of Congressional districts in all States.

(c) DETERMINATION OF AGGREGATE AMOUNT AVAILABLE FOR ALLOCATIONS; NOTIFICATION TO STATES.—Not later than 120 days before the first day of each fiscal year, the Director—

(1) shall, in accordance with section 8012, determine and establish the aggregate amount available for allocations to States under the Program for the fiscal year; and

(2) shall notify each State of the amount of the State's allocation under the Program for the fiscal year.

(d) SOURCE OF PAYMENTS.—The amounts used to make allocations and payments under the Program shall be derived solely from the Trust Fund.

SEC. 8005. PROCEDURES FOR DISBURSEMENTS OF PAYMENTS AND ALLOCATIONS.

(a) DIRECT PAYMENTS TO STATES FOR CERTAIN ACTIVITIES UNDER STATE PLAN.—

(1) DIRECT PAYMENT.—If the approved State plan of a State includes activities for which allocations are not made under subsections (b), (c), or (d), upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to disburse amounts from the Trust Fund for payment to the State in the aggregate amount provided under the plan for such activities.

(2) TIMING.—As soon as practicable after the Director directs the Secretary of the Treasury to disburse amounts for payment to a State under paragraph (1), the Secretary of the Treasury shall make the payment to the State under such paragraph.

(3) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment made to a State under this subsection shall be available without fiscal year limitation.

(b) ALLOCATION TO ELECTION ASSISTANCE COMMISSION FOR PAYMENTS TO STATES FOR CERTAIN ELECTION ADMINISTRATION ACTIVITIES.—

(1) ALLOCATION.—If the approved State plan of a State includes activities described in section 8001(b)(1), upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to allocate to the Election Assistance Commission the amount provided for such activities under the plan.

(2) PAYMENT TO STATE.—As soon as practicable after receiving an allocation under paragraph (1) with respect to a State, the Election Assistance Commission shall make a payment to the State in the amount of the State's allocation.

(3) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment made to a State by the Election Assistance Commission under this subsection shall be available without fiscal year limitation.

(c) ALLOCATION TO FEDERAL ELECTION COMMISSION FOR PAYMENTS TO PARTICIPATING CANDIDATES FROM STATE.—If the approved State plan of a State includes activities described in section 8001(b)(2)(A), relating to payments to participating candidates in the State under title V of the Federal Election Campaign Act of 1971, upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to allocate to the Federal Election Commission the amount provided for such activities under the plan.

(d) ALLOCATION TO FEDERAL ELECTION COMMISSION FOR PAYMENTS FOR DEMOCRACY CREDIT PROGRAM.—If the approved State plan of a State includes activities described in section 8001(b)(2)(B), relating to payments to the State for the operation of a Democracy Credit Program under part 1 of subtitle B, upon approving the State plan under section 8002, the Director shall direct the Secretary of the Treasury to allocate to the Federal Election Commission the amount provided for such activities under the plan.

(e) CERTAIN PAYMENTS MADE DIRECTLY TO LOCAL ELECTION ADMINISTRATORS.—Under rules established by the Director not later than 270 days after the date of the enactment of this Act, portions of amounts disbursed to States by the Secretary of the Treasury under subsection (a) and payments made to States by the Election Assistance Commission under subsection (b) may be provided directly to local election administrators carrying out activities in the State plan which may be carried out with such amounts and payments.

SEC. 8006. OFFICE OF DEMOCRACY ADVANCEMENT AND INNOVATION.

(a) ESTABLISHMENT.—There is established as an independent establishment in the executive branch the Office of Democracy Advancement and Innovation.

(b) DIRECTOR.—

(1) IN GENERAL.—The Office shall be headed by a Director, who shall be appointed by the President with the advice and consent of the Senate.

(2) TERM OF SERVICE.—The Director shall serve for a term of 6 years and may be reappointed to an additional term, and may continue serving as Director until a replacement is appointed. A vacancy in the position of Director shall be filled in the same manner as the original appointment.

(3) COMPENSATION.—The Director shall be paid at an annual rate of pay equal to the annual rate in effect for level II of the Executive Schedule.

(4) REMOVAL.—The Director may be removed from office by the President. If the President removes the Director, the President shall communicate in writing the reasons for the removal to both Houses of Congress not later than 30 days beforehand. Nothing in this paragraph shall be construed to prohibit a personnel action otherwise authorized by law.

(c) GENERAL COUNSEL AND OTHER STAFF.—

(1) GENERAL COUNSEL.—The Director shall appoint a general counsel who shall be paid at an annual rate of pay equal to the annual rate in effect for level III of the Executive Schedule. In the event of a vacancy in the position of the Director, the General Counsel shall exercise all the responsibilities of the Director until such vacancy is filled.

(2) SENIOR STAFF.—The Director may appoint and fix the pay of staff designated as Senior staff, such as a Deputy Director, who

may be paid at an annual rate of pay equal to the annual rate in effect for level IV of the Executive Schedule.

(3) OTHER STAFF.—In addition to the General Counsel and Senior staff, the Director may appoint and fix the pay of such other staff as the Director considers necessary to carry out the duties of the Office, except that no such staff may be compensated at an annual rate exceeding the daily equivalent of the annual rate of basic pay in effect for grade GS-15 of the General Schedule.

(d) DUTIES.—The duties of the Office are as follows:

(1) ADMINISTRATION OF PROGRAM.—The Director shall administer the Program, in consultation with the Election Assistance Commission and the Federal Election Commission, including by holding quarterly meetings of representatives from such Commissions.

(2) OVERSIGHT OF TRUST FUND.—The Director shall oversee the operation of the Trust Fund and monitor its balances, in consultation with the Secretary of the Treasury. The Director may hold funds in reserve to cover the expenses of the Office and to preserve the solvency of the Trust Fund.

(3) REPORTS.—Not later than 180 days after the date of the regularly scheduled general election for Federal office held in 2028 and each succeeding regularly scheduled general election for Federal office thereafter, the Director shall submit to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate a report on the activities carried out under the Program and the amounts deposited into and paid from the Trust Fund during the two most recent fiscal years.

(e) COVERAGE UNDER INSPECTOR GENERAL ACT OF 1978 FOR CONDUCTING AUDITS AND INVESTIGATIONS.—

(1) IN GENERAL.—Section 415(a)(1)(A) of title 5, United States Code, is amended by inserting ''the Office of Democracy Advancement and Innovation,'' after ''Election Assistance Commission,''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect 180 days after the appointment of the Director.

(f) COVERAGE UNDER HATCH ACT.—Clause (i) of section 7323(b)(2)(B) of title 5, United States Code, is amended—

(1) by striking ''or'' at the end of subclause (XIII); and

(2) by adding at the end the following new subclause:

''(XV) the Office of Democracy Advancement and Innovation; or''.

(g) REGULATIONS.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 270 days after the date of enactment of this Act, the Director shall promulgate such rules and regulations as the Director considers necessary and appropriate to carry out the duties of the Office under this Act and the amendments made by this Act.

(2) STATE PLAN SUBMISSION AND APPROVAL AND DISTRIBUTION OF FUNDS.—Not later than 90 days after the date of the enactment of this Act, the Director shall promulgate such rules and regulations as the Director considers necessary and appropriate to carry out the requirements of this part and the amendments made by this part.

(3) COMMENTS BY THE ELECTION ASSISTANCE COMMISSION AND THE FEDERAL ELECTION COMMISSION.—The Election Assistance Commission and the Federal Election Assistance shall timely submit comments with respect to any proposed regulations promulgated by the Director under this subsection.

(h) INTERIM AUTHORITY PENDING APPOINTMENT AND CONFIRMATION OF DIRECTOR.—

(1) AUTHORITY OF DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET.—Notwithstanding subsection (b), during the transition period, the Director of the Office of Management and Budget is authorized to perform the functions of the Office under this title, and shall act for all purposes as, and with the full powers of, the Director.

(2) INTERIM ADMINISTRATIVE SERVICES.—

(A) AUTHORITY OF OFFICE OF MANAGEMENT AND BUDGET.—During the transition period, the Director of the Office of Management and Budget may provide administrative services necessary to support the Office.

(B) TERMINATION OF AUTHORITY; PERMITTING EXTENSION.—The Director of the Office of Management and Budget shall cease providing interim administrative services under this paragraph upon the expiration of the transition period, except that the Director of the Office of Management and Budget may continue to provide such services after the expiration of the transition period if the Director and the Director of the Office of Management and Budget jointly transmit to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate—

(i) a written determination that an orderly implementation of this title is not feasible by the expiration of the transition period;

(ii) an explanation of why an extension is necessary for the orderly implementation of this title;

(iii) a description of the period during which the Director of the Office of Management and Budget shall continue providing services under the authority of this subparagraph; and

(iv) a description of the steps that will be taken to ensure an orderly and timely implementation of this title during the period described in clause (iii).

(3) TRANSITION PERIOD DEFINED.—In this subsection, the ''transition period'' is the period which begins on the date of the enactment of this Act and ends on the date on which the Director is appointed and confirmed.

(4) LIMIT ON LENGTH OF PERIOD OF INTERIM AUTHORITIES.—Notwithstanding any other provision of this subsection, the Director of the Office of Management and Budget may not exercise any authority under this subsection after the expiration of the 24-month period which begins on the date of the enactment of this Act.

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated from the Trust Fund such sums as may be necessary to carry out the activities of the Office for fiscal year 2027 and each succeeding fiscal year.

PART 2—STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND

SEC. 8011. STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury a fund to be known as the ''State Election Assistance and Innovation Trust Fund''.

(b) SENSE OF THE SENATE REGARDING FUNDING.—It is the sense of the Senate that—

(1) no taxpayer funds should be used in funding this title; and

(2) the Trust Fund should consist of—

(A) assessments against certain fines, penalties, and settlements as a result of corporate malfeasance; and

(B) any gifts or bequests for deposit into the Trust Fund.

SEC. 8012. USES OF FUND.

(a) PAYMENTS AND ALLOCATIONS DESCRIBED.—For each fiscal year, amounts in the Fund shall be used as follows:

(1) Payments to States under the Program, as described in section 8005(a).

(2) Allocations to the Election Assistance Commission, to be used for payments for certain election administration activities, as described in section 8005(b).

(3) Allocations to the Federal Election Commission, to be used for payments to participating candidates under title V of the Federal Election Campaign Act of 1971, as described in section 8005(c).

(4) Allocations to the Federal Election Commission, to be used for payments to States operating a Democracy Credit Program under part 1 of subtitle B, as described in section 8005(d).

(b) DETERMINATION OF AGGREGATE AMOUNT OF STATE ALLOCATIONS.—The Director shall determine and establish the aggregate amount of State allocations for each fiscal year, taking into account the anticipated balances of the Trust Fund. In carrying out this subsection, the Director shall consult with the Federal Election Commission and the Election Assistance Commission, but shall be solely responsible for making the final determinations under this subsection.

PART 3—GENERAL PROVISIONS

SEC. 8021. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) The term ''chief State election official'' has the meaning given such term in section 253(e) of the Help America Vote Act of 2002 (52 U.S.C. 21003(e)).

(2) The term ''Director'' means the Director of the Office.

(3) The term ''election cycle'' means the period beginning on the day after the date of the most recent regularly scheduled general election for Federal office and ending on the date of the next regularly scheduled general election for Federal office.

(4) The term ''Indian lands'' includes—

(A) Indian country, as defined under section 1151 of title 18, United States Code;

(B) any land in Alaska owned, pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), by an Indian Tribe that is a Native village (as defined in section 3 of that Act (43 U.S.C. 1602)) or by a Village Corporation that is associated with an Indian Tribe (as defined in section 3 of that Act (43 U.S.C. 1602));

(C) any land on which the seat of the Tribal government is located; and

(D) any land that is part or all of a Tribal designated statistical area associated with an Indian Tribe, or is part or all of an Alaska Native village statistical area associated with an Indian Tribe, as defined by the Census Bureau for the purposes of the most recent decennial census.

(5) The term ''Office'' means the Office of Democracy Advancement and Innovation established under section 8005.

(6) The term ''Program'' means the Democracy Advancement and Innovation Program established under section 8001.

(7) The term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(8) The term ''Trust Fund'' means the State Election Assistance and Innovation Trust Fund established under section 8011.

SEC. 8022. RULE OF CONSTRUCTION REGARDING CALCULATION OF DEADLINES.

(a) IN GENERAL.—With respect to the calculation of any period of time for the purposes of a deadline in this subtitle, the last day of the period shall be included in such calculation, unless such day is a Saturday, a Sunday, or a legal public holiday, in which case the period of such deadline shall be extended until the end of the next day which is not a Saturday, a Sunday, a legal public holiday.

(b) LEGAL PUBLIC HOLIDAY DEFINED.—For the purposes of this section, the term ''legal public holiday'' means a day described in section 6103(a) of title 5, United States Code.

Subtitle B—Elections for House of Representatives

SEC. 8101. SHORT TITLE.

This subtitle may be cited as the ''Government By the People Act of 2024''.

PART 1—OPTIONAL DEMOCRACY CREDIT PROGRAM

SEC. 8102. ESTABLISHMENT OF PROGRAM.

(a) ESTABLISHMENT.—The Federal Election Commission (hereafter in this part referred to as the ''Commission'') shall establish a program under which the Commission shall make payments to States to operate a credit program which is described in section 8103 during an election cycle.

(b) REQUIREMENTS FOR PROGRAM.—A State is eligible to operate a credit program under this part with respect to an election cycle if, not later than 120 days before the cycle begins, the State submits to the Commission a statement containing—

(1) information and assurances that the State will operate a credit program which contains the elements described in section 8103(a);

(2) information and assurances that the State will establish fraud prevention mechanisms described in section 8103(b);

(3) information and assurances that the State will establish a commission to oversee and implement the program as described in section 8103(c);

(4) information and assurances that the State will carry out a public information campaign as described in section 8103(d);

(5) information and assurances that the State will submit reports as required under section 8104;

(6) information and assurances that, not later than 60 days before the beginning of the cycle, the State will complete any actions necessary to operate the program during the cycle; and

(7) such other information and assurances as the Commission may require.

(c) REIMBURSEMENT OF COSTS.—

(1) REIMBURSEMENT.—Upon receiving the report submitted by a State under section 8104(a) with respect to an election cycle, the Commission shall transmit a payment to the State in an amount equal to the reasonable costs incurred by the State in operating the credit program under this part during the cycle.

(2) SOURCE OF FUNDS.—Payments to a State under the program shall be made using amounts allocated to the Commission for purposes of making payments under this part with respect to the State from the State Election Assistance and Innovation Trust Fund (hereafter referred to as the ''Fund'') under section 8012, in the amount allocated with respect to the State under section 8005(d).

(3) CAP ON AMOUNT OF PAYMENT.—The aggregate amount of payments made to any State with respect to two consecutive election cycles period may not exceed $10,000,000. If the State determines that the maximum payment amount under this paragraph with respect to such cycles is not, or may not be, sufficient to cover the reasonable costs incurred by the State in operating the program under this part for such cycles, the State shall reduce the amount of the credit provided to each qualified individual by such pro rata amount as may be necessary to ensure that the reasonable costs incurred by the State in operating the program will not exceed the amount paid to the State with respect to such cycles.

(d) CONTINUING AVAILABILITY OF FUNDS AFTER APPROPRIATION.—A payment made to a State under this part shall be available without fiscal year limitation.

SEC. 8103. CREDIT PROGRAM DESCRIBED.

(a) GENERAL ELEMENTS OF PROGRAM.—

(1) ELEMENTS DESCRIBED.—The elements of a credit program operated by a State under this part are as follows:

(A) The State shall provide each qualified individual upon the individual's request with a credit worth $25 to be known as a ''Democracy Credit'' during the election cycle which will be assigned a routing number and which at the option of the individual will be provided in either paper or electronic form.

(B) Using the routing number assigned to the Democracy Credit, the individual may submit the Democracy Credit in either electronic or paper form to qualified candidates for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress and allocate such portion of the value of the Democracy Credit in increments of $5 as the individual may select to any such candidate.

(C) If the candidate transmits the Democracy Credit to the Commission, the Commission shall pay the candidate the portion of the value of the Democracy Credit that the individual allocated to the candidate, which shall be considered a contribution by the individual to the candidate for purposes of the Federal Election Campaign Act of 1971.

(2) DESIGNATION OF QUALIFIED INDIVIDUALS.—For purposes of paragraph (1)(A), a ''qualified individual'' with respect to a State means an individual—

(A) who is a resident of the State;

(B) who will be of voting age as of the date of the election for the candidate to whom the individual submits a Democracy Credit; and

(C) who is not prohibited under Federal law from making contributions to candidates for election for Federal office.

(3) TREATMENT AS CONTRIBUTION TO CANDIDATE.—For purposes of the Federal Election Campaign Act of 1971, the submission of a Democracy Credit to a candidate by an individual shall be treated as a contribution to the candidate by the individual in the amount of the portion of the value of the Credit that the individual allocated to the candidate.

(b) FRAUD PREVENTION MECHANISM.—In addition to the elements described in subsection (a), a State operating a credit program under this part shall permit an individual to revoke a Democracy Credit not later than 2 days after submitting the Democracy Credit to a candidate.

(c) OVERSIGHT COMMISSION.—In addition to the elements described in subsection (a), a State operating a credit program under this part shall establish a commission or designate an existing entity to oversee and implement the program in the State, except that no such commission or entity may be comprised of elected officials.

(d) PUBLIC INFORMATION CAMPAIGN.—In addition to the elements described in subsection (a), a State operating a credit program under this part shall carry out a public information campaign to disseminate awareness of the program among qualified individuals.

(e) NO TAXPAYER FUNDS PERMITTED TO CARRY OUT PROGRAM.—No taxpayer funds shall be used to carry out the credit program under this part. For purposes of this subsection, the term ''taxpayer funds'' means revenues received by the Internal Revenue Service from tax liabilities.

SEC. 8104. REPORTS.

(a) STATE REPORTS.—Not later than 6 months after each first election cycle during which the State operates a program under this part, the State shall submit to the Commission and the Office of Democracy Advancement and Innovation a report analyzing the operation and effectiveness of the program during the cycle and including such other information as the Commission may require.

(b) STUDY AND REPORT ON IMPACT AND EFFECTIVENESS OF CREDIT PROGRAMS.—

(1) STUDY.—The Commission shall conduct a study on the efficacy of political credit programs, including the program under this part and other similar programs, in expanding and diversifying the pool of individuals who participate in the electoral process, including those who participate as donors and those who participate as candidates.

(2) REPORT.—Not later than 1 year after the first election cycle for which States operate the program under this part, the Commission shall publish and submit to Congress a report on the study conducted under paragraph (1).

SEC. 8105. ELECTION CYCLE DEFINED.

In this part, the term ''election cycle'' means the period beginning on the day after the date of the most recent regularly scheduled general election for Federal office and ending on the date of the next regularly scheduled general election for Federal office.

PART 2—OPTIONAL SMALL DOLLAR FINANCING OF ELECTIONS FOR HOUSE OF REPRESENTATIVES

SEC. 8111. BENEFITS AND ELIGIBILITY REQUIREMENTS FOR CANDIDATES.

The Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following:

''TITLE V—SMALL DOLLAR FINANCING OF ELECTIONS FOR HOUSE OF REPRESENTATIVES

''Subtitle A—Benefits

''SEC. 501. BENEFITS FOR PARTICIPATING CANDIDATES.

''(a) IN GENERAL.—If a candidate for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress is certified as a participating candidate under this title with respect to an election for such office, the candidate shall be entitled to payments as provided under this title.

''(b) AMOUNT OF PAYMENT.—The amount of a payment made under this title shall be equal to 600 percent of the amount of qualified small dollar contributions received by the candidate since the most recent payment made to the candidate under this title during the election cycle, without regard to whether or not the candidate received any of the contributions before, during, or after the Small Dollar Democracy qualifying period applicable to the candidate under section 511(c).

''(c) LIMIT ON AGGREGATE AMOUNT OF PAYMENTS.—The aggregate amount of payments made to a participating candidate with respect to an election cycle under this title may not exceed 50 percent of the average of the 20 greatest amounts of disbursements made by the authorized committees of any winning candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress during the most recent election cycle, rounded to the nearest $100,000.

''(d) NO TAXPAYER FUNDS PERMITTED.—No taxpayer funds shall be used to make payments under this title. For purposes of this subsection, the term 'taxpayer funds' means revenues received by the Internal Revenue Service from tax liabilities.

''SEC. 502. PROCEDURES FOR MAKING PAYMENTS.

''(a) IN GENERAL.—The Division Director shall make a payment under section 501 to a candidate who is certified as a participating candidate upon receipt from the candidate of a request for a payment which includes—

''(1) a statement of the number and amount of qualified small dollar contributions received by the candidate since the most recent payment made to the candidate under this title during the election cycle;

''(2) a statement of the amount of the payment the candidate anticipates receiving with respect to the request;

''(3) a statement of the total amount of payments the candidate has received under this title as of the date of the statement; and

''(4) such other information and assurances as the Division Director may require.

''(b) RESTRICTIONS ON SUBMISSION OF REQUESTS.—A candidate may not submit a request under subsection (a) unless each of the following applies:

''(1) The amount of the qualified small dollar contributions in the statement referred to in subsection (a)(1) is equal to or greater than $5,000, unless the request is submitted during the 30-day period which ends on the date of a general election.

''(2) The candidate did not receive a payment under this title during the 7-day period which ends on the date the candidate submits the request.

''(c) TIME OF PAYMENT.—The Division Director shall, in coordination with the Secretary of the Treasury, take such steps as may be necessary to ensure that the Secretary is able to make payments under this section from the Treasury not later than 2 business days after the receipt of a request submitted under subsection (a).

''SEC. 503. USE OF FUNDS.

''(a) USE OF FUNDS FOR AUTHORIZED CAMPAIGN EXPENDITURES.—A candidate shall use payments made under this title, including payments provided with respect to a previous election cycle which are withheld from remittance to the Commission in accordance with section 524(a)(2), only for making direct payments for the receipt of goods and services which constitute authorized expenditures (as determined in accordance with title III) in connection with the election cycle involved.

''(b) PROHIBITING USE OF FUNDS FOR LEGAL EXPENSES, FINES, OR PENALTIES.—Notwithstanding title III, a candidate may not use payments made under this title for the payment of expenses incurred in connection with any action, claim, or other matter before the Commission or before any court, hearing officer, arbitrator, or other dispute resolution entity, or for the payment of any fine or civil monetary penalty.

''SEC. 504. QUALIFIED SMALL DOLLAR CONTRIBUTIONS DESCRIBED.

''(a) IN GENERAL.—In this title, the term 'qualified small dollar contribution' means, with respect to a candidate and the authorized committees of a candidate, a contribution that meets the following requirements:

''(1) The contribution is in an amount that is—

''(A) not less than $1; and

''(B) not more than $200.

''(2)(A) The contribution is made directly by an individual to the candidate or an authorized committee of the candidate and is not—

''(i) forwarded from the individual making the contribution to the candidate or committee by another person; or

''(ii) received by the candidate or committee with the knowledge that the contribution was made at the request, suggestion, or recommendation of another person.

''(B) In this paragraph—

''(i) the term 'person' does not include an individual (other than an individual described in section 304(i)(7) of the Federal Election Campaign Act of 1971), a political committee of a political party, or any political committee which is not a separate segregated fund described in section 316(b) of the Federal Election Campaign Act of 1971 and which does not make contributions or independent expenditures, does not engage in lobbying activity under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.), and is not established by, controlled by, or affiliated with a registered lobbyist under such Act, an agent of a registered lobbyist under such Act, or an organization which retains or employs a registered lobbyist under such Act; and

''(ii) a contribution is not 'made at the request, suggestion, or recommendation of another person' solely on the grounds that the contribution is made in response to information provided to the individual making the contribution by any person, so long as the candidate or authorized committee does not know the identity of the person who provided the information to such individual.

''(3) The individual who makes the contribution does not make contributions to the candidate or the authorized committees of the candidate with respect to the election involved in an aggregate amount that exceeds the amount described in paragraph (1)(B), or any contribution to the candidate or the authorized committees of the candidate with respect to the election involved that otherwise is not a qualified small dollar contribution.

''(b) TREATMENT OF DEMOCRACY CREDITS.—Any payment received by a candidate and the authorized committees of a candidate which consists of a Democracy Credit under the Freedom to Vote Act shall be considered a qualified small dollar contribution for purposes of this title, so long as the individual making the payment meets the requirements of paragraphs (2) and (3) of subsection (a).

''(c) RESTRICTION ON SUBSEQUENT CONTRIBUTIONS.—

''(1) PROHIBITING DONOR FROM MAKING SUBSEQUENT NONQUALIFIED CONTRIBUTIONS DURING ELECTION CYCLE.—

''(A) IN GENERAL.—An individual who makes a qualified small dollar contribution to a candidate or the authorized committees of a candidate with respect to an election may not make any subsequent contribution to such candidate or the authorized committees of such candidate with respect to the election cycle which is not a qualified small dollar contribution.

''(B) EXCEPTION FOR CONTRIBUTIONS TO CANDIDATES WHO VOLUNTARILY WITHDRAW FROM PARTICIPATION DURING QUALIFYING PERIOD.—Subparagraph (A) does not apply with respect to a contribution made to a candidate who, during the Small Dollar Democracy qualifying period described in section 511(c), submits a statement to the Commission under section 513(c) to voluntarily withdraw from participating in the program under this title.

''(2) TREATMENT OF SUBSEQUENT NONQUALIFIED CONTRIBUTIONS.—If, notwithstanding the prohibition described in paragraph (1), an individual who makes a qualified small dollar contribution to a candidate or the authorized committees of a candidate with respect to an election makes a subsequent contribution to such candidate or the authorized committees of such candidate with respect to the election which is prohibited under paragraph (1) because it is not a qualified small dollar contribution, the candidate may take one of the following actions:

''(A) Not later than 2 weeks after receiving the contribution, the candidate may return the subsequent contribution to the individual. In the case of a subsequent contribution which is not a qualified small dollar contribution because the contribution fails to meet the requirements of paragraph (3) of subsection (a) (relating to the aggregate amount of contributions made to the candidate or the authorized committees of the candidate by the individual making the contribution), the candidate may return an amount equal to the difference between the amount of the subsequent contribution and the amount described in paragraph (1)(B) of subsection (a).

''(B) The candidate may retain the subsequent contribution, so long as not later than 2 weeks after receiving the subsequent contribution, the candidate remits to the Commission an amount equal to any payments received by the candidate under this title which are attributable to the qualified small dollar contribution made by the individual involved. Such amount shall be used to supplement the allocation made to the Commission with respect to candidates from the State in which the candidate seeks office, as described in section 541(a).

''(3) NO EFFECT ON ABILITY TO MAKE MULTIPLE CONTRIBUTIONS.—Nothing in this section may be construed to prohibit an individual from making multiple qualified small dollar contributions to any candidate or any number of candidates, so long as each contribution meets each of the requirements of paragraphs (1), (2), and (3) of subsection (a).

''(d) NOTIFICATION REQUIREMENTS FOR CANDIDATES.—

''(1) NOTIFICATION.—Each authorized committee of a candidate who seeks to be a participating candidate under this title shall provide the following information in any materials for the solicitation of contributions, including any internet site through which individuals may make contributions to the committee:

''(A) A statement that if the candidate is certified as a participating candidate under this title, the candidate will receive matching payments in an amount which is based on the total amount of qualified small dollar contributions received.

''(B) A statement that a contribution which meets the requirements set forth in subsection (a) shall be treated as a qualified small dollar contribution under this title.

''(C) A statement that if a contribution is treated as qualified small dollar contribution under this title, the individual who makes the contribution may not make any contribution to the candidate or the authorized committees of the candidate during the election cycle which is not a qualified small dollar contribution.

''(2) ALTERNATIVE METHODS OF MEETING REQUIREMENTS.—An authorized committee may meet the requirements of paragraph (1)—

''(A) by including the information described in paragraph (1) in the receipt provided under section 512(b)(3) to a person making a qualified small dollar contribution; or

''(B) by modifying the information it provides to persons making contributions which is otherwise required under title III (including information it provides through the internet).

''Subtitle B—Eligibility and Certification

''SEC. 511. ELIGIBILITY.

''(a) IN GENERAL.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress is eligible to be certified as a participating candidate under this title with respect to an election if the candidate meets the following requirements:

''(1) The candidate files with the Commission a statement of intent to seek certification as a participating candidate.

''(2) The candidate meets the qualifying requirements of section 512.

''(3) The candidate files with the Commission a statement certifying that the authorized committees of the candidate meet the requirements of section 504(d).

''(4) Not later than the last day of the Small Dollar Democracy qualifying period, the candidate files with the Commission an affidavit signed by the candidate and the treasurer of the candidate's principal campaign committee declaring that the candidate—

''(A) has complied and, if certified, will comply with the contribution and expenditure requirements of section 521;

''(B) if certified, will run only as a participating candidate for all elections for the office that such candidate is seeking during that election cycle; and

''(C) has either qualified or will take steps to qualify under State law to be on the ballot.

''(5) The candidate files with the Commission a certification that the candidate will not use any allocation from the Fund to directly or indirectly pay salaries, fees, consulting expenses, or any other compensation for services rendered to themselves, family members (including spouses as well as children, parents, siblings, or any of their spouses), or any entity or organization in which they have an ownership interest.

''(b) GENERAL ELECTION.—Notwithstanding subsection (a), a candidate shall not be eligible to be certified as a participating candidate under this title for a general election or a general runoff election unless the candidate's party nominated the candidate to be placed on the ballot for the general election or the candidate is otherwise qualified to be on the ballot under State law.

''(c) SMALL DOLLAR DEMOCRACY QUALIFYING PERIOD DEFINED.—The term 'Small Dollar Democracy qualifying period' means, with respect to any candidate for an office, the 180-day period (during the election cycle for such office) which begins on the date on which the candidate files a statement of intent under section 511(a)(1), except that such period may not continue after the date that is 30 days before the date of the general election for the office.

''SEC. 512. QUALIFYING REQUIREMENTS.

''(a) RECEIPT OF QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—A candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress meets the requirement of this section if, during the Small Dollar Democracy qualifying period described in section 511(c), each of the following occurs:

''(1) Not fewer than 1,000 individuals make a qualified small dollar contribution to the candidate.

''(2) The candidate obtains a total dollar amount of qualified small dollar contributions which is equal to or greater than $50,000.

''(b) REQUIREMENTS RELATING TO RECEIPT OF QUALIFIED SMALL DOLLAR CONTRIBUTION.—Each qualified small dollar contribution—

''(1) may be made by means of a personal check, money order, debit card, credit card, electronic payment account, or any other method deemed appropriate by the Division Director;

''(2) shall be accompanied by a signed statement (or, in the case of a contribution made online or through other electronic means, an electronic equivalent) containing the contributor's name and address; and

''(3) shall be acknowledged by a receipt that is sent to the contributor with a copy (in paper or electronic form) kept by the candidate for the Commission.

''(c) VERIFICATION OF CONTRIBUTIONS.—

''(1) PROCEDURES.—The Division Director shall establish procedures for the auditing and verification of the contributions received and expenditures made by participating candidates under this title, including procedures for random audits, to ensure that such contributions and expenditures meet the requirements of this title.

''(2) AUTHORITY OF COMMISSION TO REVISE PROCEDURES.—The Commission, by a vote of not fewer than four of its members, may revise the procedures established by the Division Director under this subsection.

''SEC. 513. CERTIFICATION.

''(a) DEADLINE AND NOTIFICATION.—

''(1) IN GENERAL.—Not later than 5 business days after a candidate files an affidavit under section 511(a)(4), the Division Director shall—

''(A) determine whether or not the candidate meets the requirements for certification as a participating candidate;

''(B) if the Division Director determines that the candidate meets such requirements, certify the candidate as a participating candidate; and

''(C) notify the candidate of the Division Director's determination.

''(2) DEEMED CERTIFICATION FOR ALL ELECTIONS IN ELECTION CYCLE.—If the Division Director certifies a candidate as a participating candidate with respect to the first election of the election cycle involved, the Division Director shall be deemed to have certified the candidate as a participating candidate with respect to all subsequent elections of the election cycle.

''(3) AUTHORITY OF COMMISSION TO REVERSE DETERMINATION BY DIVISION DIRECTOR.—During the 10-day period which begins on the date the Division Director makes a determination under this subsection, the Commission, by a vote of not fewer than four of its members, may review and reverse the determination. If the Commission reverses the determination, the Commission shall promptly notify the candidate involved.

''(b) REVOCATION OF CERTIFICATION.—

''(1) IN GENERAL.—The Division Director shall revoke a certification under subsection (a) if—

''(A) a candidate fails to qualify to appear on the ballot at any time after the date of certification (other than a candidate certified as a participating candidate with respect to a primary election who fails to qualify to appear on the ballot for a subsequent election in that election cycle);

''(B) a candidate ceases to be a candidate for the office involved, as determined on the basis of an official announcement by an authorized committee of the candidate or on the basis of a reasonable determination by the Commission; or

''(C) a candidate otherwise fails to comply with the requirements of this title, including any regulatory requirements prescribed by the Commission.

''(2) EXISTENCE OF CRIMINAL SANCTION.—The Division Director shall revoke a certification under subsection (a) if a penalty is assessed against the candidate under section 309(d) with respect to the election.

''(3) EFFECT OF REVOCATION.—If a candidate's certification is revoked under this subsection—

''(A) the candidate may not receive payments under this title during the remainder of the election cycle involved; and

''(B) in the case of a candidate whose certification is revoked pursuant to subparagraph (A) or subparagraph (C) of paragraph (1)—

''(i) the candidate shall repay to the Commission an amount equal to the payments received under this title with respect to the election cycle involved plus interest (at a rate determined by the Commission on the basis of an appropriate annual percentage rate for the month involved) on any such amount received, which shall be used by the Commission to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a); and

''(ii) the candidate may not be certified as a participating candidate under this title with respect to the next election cycle.

''(4) PROHIBITING PARTICIPATION IN FUTURE ELECTIONS FOR CANDIDATES WITH MULTIPLE REVOCATIONS.—If the Division Director revokes the certification of an individual as a participating candidate under this title pursuant to subparagraph (A) or subparagraph (C) of paragraph (1) a total of 3 times, the individual may not be certified as a participating candidate under this title with respect to any subsequent election.

''(5) AUTHORITY OF COMMISSION TO REVERSE REVOCATION BY DIVISION DIRECTOR.—During the 10-day period which begins on the date the Division Director makes a determination under this subsection, the Commission, by a vote of not fewer than four of its members, may review and reverse the determination. If the Commission reverses the determination, the Commission shall promptly notify the candidate involved.

''(c) VOLUNTARY WITHDRAWAL FROM PARTICIPATING DURING QUALIFYING PERIOD.—At any time during the Small Dollar Democracy qualifying period described in section 511(c), a candidate may withdraw from participation in the program under this title by submitting to the Commission a statement of withdrawal (without regard to whether or not the Commission has certified the candidate as a participating candidate under this title as of the time the candidate submits such statement), so long as the candidate has not submitted a request for payment under section 502.

''(d) PARTICIPATING CANDIDATE DEFINED.—In this title, a 'participating candidate' means a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress who is certified under this section as eligible to receive benefits under this title.

''Subtitle C—Requirements for Candidates Certified as Participating Candidates

''SEC. 521. CONTRIBUTION AND EXPENDITURE REQUIREMENTS.

''(a) PERMITTED SOURCES OF CONTRIBUTIONS AND EXPENDITURES.—Except as provided in subsection (c), a participating candidate with respect to an election shall, with respect to all elections occurring during the election cycle for the office involved, accept no contributions from any source and make no expenditures from any amounts, other than the following:

''(1) Qualified small dollar contributions.

''(2) Payments under this title.

''(3) Contributions from political committees established and maintained by a national or State political party, subject to the applicable limitations of section 315.

''(4) Subject to subsection (b), personal funds of the candidate or of any immediate family member of the candidate (other than funds received through qualified small dollar contributions).

''(5) Contributions from individuals who are otherwise permitted to make contributions under this Act, subject to the applicable limitations of section 315, except that the aggregate amount of contributions a participating candidate may accept from any individual with respect to any election during the election cycle may not exceed $1,000.

''(6) Contributions from multicandidate political committees, subject to the applicable limitations of section 315.

''(b) SPECIAL RULES FOR PERSONAL FUNDS.—

''(1) LIMIT ON AMOUNT.—A candidate who is certified as a participating candidate may use personal funds (including personal funds of any immediate family member of the candidate) so long as—

''(A) the aggregate amount used with respect to the election cycle (including any period of the cycle occurring prior to the candidate's certification as a participating candidate) does not exceed $50,000; and

''(B) the funds are used only for making direct payments for the receipt of goods and services which constitute authorized expenditures in connection with the election cycle involved.

''(2) IMMEDIATE FAMILY MEMBER DEFINED.—In this subsection, the term 'immediate family member' means, with respect to a candidate—

''(A) the candidate's spouse;

''(B) a child, stepchild, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate or the candidate's spouse; and

''(C) the spouse of any person described in subparagraph (B).

''(c) EXCEPTIONS.—

''(1) EXCEPTION FOR CONTRIBUTIONS RECEIVED PRIOR TO FILING OF STATEMENT OF INTENT.—A candidate who has accepted contributions that are not described in subsection (a) is not in violation of subsection (a), but only if all such contributions are—

''(A) returned to the contributor;

''(B) submitted to the Commission, to be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a); or

''(C) spent in accordance with paragraph (2).

''(2) EXCEPTION FOR EXPENDITURES MADE PRIOR TO FILING OF STATEMENT OF INTENT.—If a candidate has made expenditures prior to the date the candidate files a statement of intent under section 511(a)(1) that the candidate is prohibited from making under subsection (a) or subsection (b), the candidate is not in violation of such subsection if the aggregate amount of the prohibited expenditures is less than the amount referred to in section 512(a)(2) (relating to the total dollar amount of qualified small dollar contributions which the candidate is required to obtain) which is applicable to the candidate.

''(3) EXCEPTION FOR CAMPAIGN SURPLUSES FROM A PREVIOUS ELECTION.—Notwithstanding paragraph (1), unexpended contributions received by the candidate or an authorized committee of the candidate with respect to a previous election may be retained, but only if the candidate places the funds in escrow and refrains from raising additional funds for or spending funds from that account during the election cycle in which a candidate is a participating candidate.

''(4) EXCEPTION FOR CONTRIBUTIONS RECEIVED BEFORE THE EFFECTIVE DATE OF THIS TITLE.—Contributions received and expenditures made by the candidate or an authorized committee of the candidate prior to the effective date of this title shall not constitute a violation of subsection (a) or (b). Unexpended contributions shall be treated the same as campaign surpluses under paragraph (3), and expenditures made shall count against the limit in paragraph (2).

''(d) SPECIAL RULE FOR COORDINATED PARTY EXPENDITURES.—For purposes of this section, a payment made by a political party in coordination with a participating candidate shall not be treated as a contribution to or as an expenditure made by the participating candidate.

''(e) PROHIBITION ON JOINT FUNDRAISING COMMITTEES.—

''(1) PROHIBITION.—An authorized committee of a candidate who is certified as a participating candidate under this title with respect to an election may not establish a joint fundraising committee with a political committee other than another authorized committee of the candidate.

''(2) STATUS OF EXISTING COMMITTEES FOR PRIOR ELECTIONS.—If a candidate established a joint fundraising committee described in paragraph (1) with respect to a prior election for which the candidate was not certified as a participating candidate under this title and the candidate does not terminate the committee, the candidate shall not be considered to be in violation of paragraph (1) so long as that joint fundraising committee does not receive any contributions or make any disbursements during the election cycle for which the candidate is certified as a participating candidate under this title.

''(f) PROHIBITION ON LEADERSHIP PACS.—

''(1) PROHIBITION.—A candidate who is certified as a participating candidate under this title with respect to an election may not associate with, establish, finance, maintain, or control a leadership PAC.

''(2) STATUS OF EXISTING LEADERSHIP PACS.—If a candidate established, financed, maintained, or controlled a leadership PAC prior to being certified as a participating candidate under this title and the candidate does not terminate the leadership PAC, the candidate shall not be considered to be in violation of paragraph (1) so long as the leadership PAC does not receive any contributions or make any disbursements during the election cycle for which the candidate is certified as a participating candidate under this title.

''(3) LEADERSHIP PAC DEFINED.—In this subsection, the term 'leadership PAC' has the meaning given such term in section 304(i)(8)(B).

''SEC. 522. ADMINISTRATION OF CAMPAIGN.

''(a) SEPARATE ACCOUNTING FOR VARIOUS PERMITTED CONTRIBUTIONS.—Each authorized committee of a candidate certified as a participating candidate under this title—

''(1) shall provide for separate accounting of each type of contribution described in section 521(a) which is received by the committee; and

''(2) shall provide for separate accounting for the payments received under this title.

''(b) ENHANCED DISCLOSURE OF INFORMATION ON DONORS.—

''(1) MANDATORY IDENTIFICATION OF INDIVIDUALS MAKING QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—Each authorized committee of a participating candidate under this title shall, in accordance with section 304(b)(3)(A), include in the reports the committee submits under section 304 the identification of each person who makes a qualified small dollar contribution to the committee.

''(2) MANDATORY DISCLOSURE THROUGH INTERNET.—Each authorized committee of a participating candidate under this title shall ensure that all information reported to the Commission under this Act with respect to contributions and expenditures of the committee is available to the public on the internet (whether through a site established for purposes of this subsection, a hyperlink on another public site of the committee, or a hyperlink on a report filed electronically with the Commission) in a searchable, sortable, and downloadable manner.

''SEC. 523. PREVENTING UNNECESSARY SPENDING OF MATCHING FUNDS.

''(a) MANDATORY SPENDING OF AVAILABLE PRIVATE FUNDS.—An authorized committee of a candidate certified as a participating candidate under this title may not make any expenditure of any payments received under this title in any amount unless the committee has made an expenditure in an equivalent amount of funds received by the committee which are described in paragraphs (1), (3), (4), (5), and (6) of section 521(a).

''(b) LIMITATION.—Subsection (a) applies to an authorized committee only to the extent that the funds referred to in such subsection are available to the committee at the time the committee makes an expenditure of a payment received under this title.

''SEC. 524. REMITTING UNSPENT FUNDS AFTER ELECTION.

''(a) REMITTANCE REQUIRED.—Not later than the date that is 180 days after the last election for which a candidate certified as a participating candidate qualifies to be on the ballot during the election cycle involved, such participating candidate shall remit to the Commission an amount equal to the balance of the payments received under this title by the authorized committees of the candidate which remain unexpended as of such date, which shall be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a).

''(b) PERMITTING CANDIDATES PARTICIPATING IN NEXT ELECTION CYCLE TO RETAIN PORTION OF UNSPENT FUNDS.—Notwithstanding subsection (a), a participating candidate may withhold not more than $100,000 from the amount required to be remitted under subsection (a) if the candidate files a signed affidavit with the Commission that the candidate will seek certification as a participating candidate with respect to the next election cycle, except that the candidate may not use any portion of the amount withheld until the candidate is certified as a participating candidate with respect to that next election cycle. If the candidate fails to seek certification as a participating candidate prior to the last day of the Small Dollar Democracy qualifying period for the next election cycle (as described in section 511), or if the Commission notifies the candidate of the Commission's determination does not meet the requirements for certification as a participating candidate with respect to such cycle, the candidate shall immediately remit to the Commission the amount withheld.

''Subtitle D—Enhanced Match Support

''SEC. 531. ENHANCED SUPPORT FOR GENERAL ELECTION.

''(a) AVAILABILITY OF ENHANCED SUPPORT.—In addition to the payments made under subtitle A, the Division Director shall make an additional payment to an eligible candidate under this subtitle.

''(b) USE OF FUNDS.—A candidate shall use the additional payment under this subtitle only for authorized expenditures in connection with the election involved.

''SEC. 532. ELIGIBILITY.

''(a) IN GENERAL.—A candidate is eligible to receive an additional payment under this subtitle if the candidate meets each of the following requirements:

''(1) The candidate is on the ballot for the general election for the office the candidate seeks.

''(2) The candidate is certified as a participating candidate under this title with respect to the election.

''(3) During the enhanced support qualifying period, the candidate receives qualified small dollar contributions in a total amount of not less than $50,000.

''(4) During the enhanced support qualifying period, the candidate submits to the Division Director a request for the payment which includes—

''(A) a statement of the number and amount of qualified small dollar contributions received by the candidate during the enhanced support qualifying period;

''(B) a statement of the amount of the payment the candidate anticipates receiving with respect to the request; and

''(C) such other information and assurances as the Division Director may require.

''(5) After submitting a request for the additional payment under paragraph (4), the

candidate does not submit any other application for an additional payment under this subtitle.

''(b) ENHANCED SUPPORT QUALIFYING PERIOD DESCRIBED.—In this subtitle, the term 'enhanced support qualifying period' means, with respect to a general election, the period which begins 60 days before the date of the election and ends 14 days before the date of the election.

"SEC. 533. AMOUNT.

''(a) IN GENERAL.—Subject to subsection (b), the amount of the additional payment made to an eligible candidate under this subtitle shall be an amount equal to 50 percent of—

''(1) the amount of the payment made to the candidate under section 501(b) with respect to the qualified small dollar contributions which are received by the candidate during the enhanced support qualifying period (as included in the request submitted by the candidate under section 532(a)(4)); or

''(2) in the case of a candidate who is not eligible to receive a payment under section 501(b) with respect to such qualified small dollar contributions because the candidate has reached the limit on the aggregate amount of payments under subtitle A for the election cycle under section 501(c), the amount of the payment which would have been made to the candidate under section 501(b) with respect to such qualified small dollar contributions if the candidate had not reached such limit.

''(b) LIMIT.—The amount of the additional payment determined under subsection (a) with respect to a candidate may not exceed $500,000.

''(c) NO EFFECT ON AGGREGATE LIMIT.—The amount of the additional payment made to a candidate under this subtitle shall not be included in determining the aggregate amount of payments made to a participating candidate with respect to an election cycle under section 501(c).

"SEC. 534. WAIVER OF AUTHORITY TO RETAIN PORTION OF UNSPENT FUNDS AFTER ELECTION.

''Notwithstanding section 524(a)(2), a candidate who receives an additional payment under this subtitle with respect to an election is not permitted to withhold any portion from the amount of unspent funds the candidate is required to remit to the Commission under section 524(a)(1).

"Subtitle E—Administrative Provisions

"SEC. 541. SOURCE OF PAYMENTS.

''(a) ALLOCATIONS FROM STATE ELECTION ASSISTANCE AND INNOVATION TRUST FUND.—The amounts used to make payments to participating candidates under this title who seek office in a State shall be derived from the allocations made to the Commission with respect to the State from the State Election Assistance and Innovation Trust Fund (hereafter referred to as the 'Fund') under section 8012 of the Freedom to Vote Act, as provided under section 8005(c) of such Act.

''(b) USE OF ALLOCATIONS TO MAKE PAYMENTS TO PARTICIPATING CANDIDATES.—

''(1) PAYMENTS TO PARTICIPATING CANDIDATES.—The allocations made to the Commission as described in subsection (a) shall be available without further appropriation or fiscal year limitation to make payments to participating candidates as provided in this title.

''(2) ONGOING REVIEW TO DETERMINE SUFFICIENCY OF STATE ALLOCATIONS.—

''(A) ONGOING REVIEW.—Not later than 90 days before the first day of each election cycle (beginning with the first election cycle that begins after the date of the enactment of this title), and on an ongoing basis until the end of the election cycle, the Division Director, in consultation with the Director of the Office of Democracy Advancement and Innovation, shall determine whether the amount of the allocation made to the Commission with respect to candidates who seek office in a State as described in subsection (a) will be sufficient to make payments to participating candidates in the State in the amounts provided in this title during such election cycle.

''(B) OPPORTUNITY FOR STATE TO INCREASE ALLOCATION.—If, at any time the Division Director determines under subparagraph (A) that the amount anticipated to be available in the Fund for payments to participating candidates in a State with respect to the election cycle involved is not, or may not be, sufficient to satisfy the full entitlements of participating candidates in the State to payments under this title for such election cycle—

''(i) the Division Director shall notify the State and Congress; and

''(ii) the State may direct the Director of the Office of Democracy Advancement and Innovation to direct the Secretary of the Treasury to use the funds described in subparagraph (C), in such amounts as the State may direct, as an additional allocation to the Commission with respect to the State for purposes of subsection (a), in accordance with section 8012 of the Freedom to Vote Act.

''(C) FUNDS DESCRIBED.—The funds described in this subparagraph are funds which were allocated to the State under the Democracy Advancement and Innovation Program under subtitle A of title VIII of the Freedom to Vote Act which, under the State plan under section 8002 of such Act, were to be used for democracy promotion activities described in paragraph (1), (2)(B), (2)(C), or (3) of section 8001(b) of such Act but which remain unobligated.

''(3) ELIMINATION OF LIMIT OF AMOUNT OF QUALIFIED SMALL DONOR CONTRIBUTIONS.—

''(A) ELIMINATION OF LIMIT.—If, after notifying the State under paragraph (2)(B)(i) and (if the State so elects) the State directs under paragraph (2)(B)(ii) an additional allocation to the Commission as provided under such subparagraph, the Division Director determines under paragraph (2)(A) that the amount anticipated to be available in the Fund (after such additional allocation) for payments to participating candidates in the State with respect to the election cycle involved is still not, or may still not be, sufficient to satisfy the full entitlements of participating candidates in the State to payments under this title for such election cycle, the limit on the amount of a qualified small donor contribution under section 504(a)(1)(B) shall not apply with respect to a participating candidate in the State under this title. Nothing in this subparagraph may be construed to waive the limit on the aggregate amount of contributions a participating candidate may accept from any individual under section 521(a)(5).

''(B) DETERMINATION OF AMOUNT OF PAYMENT TO CANDIDATE.—In determining under section 501(b) the amount of the payment made to a participating candidate for whom the limit on the amount of a qualified small donor contribution does not apply pursuant to subparagraph (A), there shall be excluded any qualified small donor contribution to the extent that the amount contributed by the individual involved exceeds the limit on the amount of such a contribution under section 504(a)(1)(B).

''(C) NO USE OF AMOUNTS FROM OTHER SOURCES.—In any case in which the Division Director determines that the allocation made to the Commission with respect to candidates in a State as described in subsection (a) is insufficient to make payments to participating candidates in the State under this title (taking into account any increase in the allocation under paragraph (2)), moneys shall not be made available from any other source for the purpose of making such payments.

''(c) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this title, without regard to whether or not regulations have been promulgated to carry out this section.

"SEC. 542. ADMINISTRATION THROUGH DEDICATED DIVISION WITHIN COMMISSION.

''(a) ADMINISTRATION THROUGH DEDICATED DIVISION.—

''(1) ESTABLISHMENT.—The Commission shall establish a separate division within the Commission which is dedicated to issuing regulations to carry out this title and to otherwise carrying out the operation of this title.

''(2) APPOINTMENT OF DIRECTOR AND STAFF.—

''(A) APPOINTMENT.—Not later than June 1, 2026, the Commission shall appoint a director to head the division established under this section (to be known as the 'Division Director') and such other staff as the Commission considers appropriate to enable the division to carry out its duties.

''(B) ROLE OF GENERAL COUNSEL.—If, at any time after the date referred to in subparagraph (A), there is a vacancy in the position of the Division Director, the General Counsel of the Commission shall serve as the acting Division Director until the Commission appoints a Division Director under this paragraph.

''(3) PRIVATE RIGHT OF ACTION.—Any person aggrieved by the failure of the Commission to meet the requirements of this subsection may file an action in an appropriate district court of the United States for such relief, including declaratory and injunctive relief, as may be appropriate.

''(b) REGULATIONS.—Not later than the deadline set forth in section 8114 of the Freedom to Vote Act, the Commission, acting through the dedicated division established under this section, shall prescribe regulations to carry out the purposes of this title, including regulations—

''(1) to establish procedures for verifying the amount of qualified small dollar contributions with respect to a candidate;

''(2) to establish procedures for effectively and efficiently monitoring and enforcing the limits on the raising of qualified small dollar contributions;

''(3) to establish procedures for effectively and efficiently monitoring and enforcing the limits on the use of personal funds by participating candidates;

''(4) to establish procedures for monitoring the use of payments made from the allocation made to the Commission as described in section 541(a) and matching contributions under this title through audits of not fewer than 1/10 (or, in the case of the first 3 election cycles during which the program under this title is in effect, not fewer than 1/3) of all participating candidates or other mechanisms;

''(5) to establish procedures for carrying out audits under section 541(b) and permitting States to make additional allocations as provided under section 541(b)(2)(B); and

''(6) to establish rules for preventing fraud in the operation of this title which supplement similar rules which apply under this Act.

"SEC. 543. VIOLATIONS AND PENALTIES.

''(a) CIVIL PENALTY FOR VIOLATION OF CONTRIBUTION AND EXPENDITURE REQUIREMENTS.—If a candidate who has been certified as a participating candidate accepts a contribution or makes an expenditure that is

prohibited under section 521, the Commission may assess a civil penalty against the candidate in an amount that is not more than 3 times the amount of the contribution or expenditure. Any amounts collected under this subsection shall be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a).

''(b) REPAYMENT FOR IMPROPER USE OF PAYMENTS.—

''(1) IN GENERAL.—If the Commission determines that any payment made to a participating candidate was not used as provided for in this title or that a participating candidate has violated any of the dates for remission of funds contained in this title, the Commission shall so notify the candidate and the candidate shall pay to the Commission an amount which shall be used to supplement the allocation made to the Commission with respect to the State in which the candidate seeks office, as described in section 541(a) and which shall be equal to—

''(A) the amount of payments so used or not remitted, as appropriate; and

''(B) interest on any such amounts (at a rate determined by the Commission).

''(2) OTHER ACTION NOT PRECLUDED.—Any action by the Commission in accordance with this subsection shall not preclude enforcement proceedings by the Commission in accordance with section 309(a), including a referral by the Commission to the Attorney General in the case of an apparent knowing and willful violation of this title.

''(c) PROHIBITING CERTAIN CANDIDATES FROM QUALIFYING AS PARTICIPATING CANDIDATES.—

''(1) CANDIDATES WITH MULTIPLE CIVIL PENALTIES.—If the Commission assesses 3 or more civil penalties under subsection (a) against a candidate (with respect to either a single election or multiple elections), the Commission may refuse to certify the candidate as a participating candidate under this title with respect to any subsequent election, except that if each of the penalties were assessed as the result of a knowing and willful violation of any provision of this Act, the candidate is not eligible to be certified as a participating candidate under this title with respect to any subsequent election.

''(2) CANDIDATES SUBJECT TO CRIMINAL PENALTY.—A candidate is not eligible to be certified as a participating candidate under this title with respect to an election if a penalty has been assessed against the candidate under section 309(d) with respect to any previous election.

''(d) IMPOSITION OF CRIMINAL PENALTIES.—For criminal penalties for the failure of a participating candidate to comply with the requirements of this title, see section 309(d).

''SEC. 544. INDEXING OF AMOUNTS.

''(a) INDEXING.—In any calendar year after 2030, section 315(c)(1)(B) shall apply to each amount described in subsection (b) in the same manner as such section applies to the limitations established under subsections (a)(1)(A), (a)(1)(B), (a)(3), and (h) of such section, except that for purposes of applying such section to the amounts described in subsection (b), the 'base period' shall be 2029.

''(b) AMOUNTS DESCRIBED.—The amounts described in this subsection are as follows:

''(1) The amount referred to in section 502(b)(1) (relating to the minimum amount of qualified small dollar contributions included in a request for payment).

''(2) The amounts referred to in section 504(a)(1) (relating to the amount of a qualified small dollar contribution).

''(3) The amount referred to in section 512(a)(2) (relating to the total dollar amount of qualified small dollar contributions).

''(4) The amount referred to in section 521(a)(5) (relating to the aggregate amount of contributions a participating candidate may accept from any individual with respect to an election).

''(5) The amount referred to in section 521(b)(1)(A) (relating to the amount of personal funds that may be used by a candidate who is certified as a participating candidate).

''(6) The amounts referred to in section 524(a)(2) (relating to the amount of unspent funds a candidate may retain for use in the next election cycle).

''(7) The amount referred to in section 532(a)(3) (relating to the total dollar amount of qualified small dollar contributions for a candidate seeking an additional payment under subtitle D).

''(8) The amount referred to in section 533(b) (relating to the limit on the amount of an additional payment made to a candidate under subtitle D).

''SEC. 545. ELECTION CYCLE DEFINED.

''In this title, the term 'election cycle' means, with respect to an election for an office, the period beginning on the day after the date of the most recent general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election) and ending on the date of the next general election for that office (or, if the general election resulted in a runoff election, the date of the runoff election).

''SEC. 546. DIVISION DIRECTOR DEFINED.

''In this title, the term 'Division Director' means the individual serving as the director of the division established under section 542.''.

SEC. 8112. CONTRIBUTIONS AND EXPENDITURES BY MULTICANDIDATE AND POLITICAL PARTY COMMITTEES ON BEHALF OF PARTICIPATING CANDIDATES.

(a) AUTHORIZING CONTRIBUTIONS ONLY FROM SEPARATE ACCOUNTS CONSISTING OF QUALIFIED SMALL DOLLAR CONTRIBUTIONS.—Section 315(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)) is amended by adding at the end the following new paragraph:

''(10) In the case of a multicandidate political committee or any political committee of a political party, the committee may make a contribution to a candidate who is a participating candidate under title V with respect to an election only if the contribution is paid from a separate, segregated account of the committee which consists solely of contributions which meet the following requirements:

''(A) Each such contribution is in an amount which meets the requirements for the amount of a qualified small dollar contribution under section 504(a)(1) with respect to the election involved.

''(B) Each such contribution is made by an individual who is not otherwise prohibited from making a contribution under this Act.

''(C) The individual who makes the contribution does not make contributions to the committee during the year in an aggregate amount that exceeds the limit described in section 504(a)(1).''.

(b) PERMITTING UNLIMITED COORDINATED EXPENDITURES FROM SMALL DOLLAR SOURCES BY POLITICAL PARTIES.—Section 315(d) of such Act (52 U.S.C. 30116(d)) is amended—

(1) in paragraph (3), by striking ''The national committee'' and inserting ''Except as provided in paragraph (6), the national committee''; and

(2) by adding at the end the following new paragraph:

''(6) The limits described in paragraph (3) do not apply in the case of expenditures in connection with the general election campaign of a candidate for the office of Representative in, or Delegate or Resident Commissioner to, the Congress who is a participating candidate under title V with respect to the election, but only if—

''(A) the expenditures are paid from a separate, segregated account of the committee which is described in subsection (a)(10); and

''(B) the expenditures are the sole source of funding provided by the committee to the candidate.''.

SEC. 8113. PROHIBITING USE OF CONTRIBUTIONS BY PARTICIPATING CANDIDATES FOR PURPOSES OTHER THAN CAMPAIGN FOR ELECTION.

Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114) is amended by adding at the end the following new subsection:

''(d) RESTRICTIONS ON PERMITTED USES OF FUNDS BY CANDIDATES RECEIVING SMALL DOLLAR FINANCING.—Notwithstanding paragraph (2), (3), or (4) of subsection (a), if a candidate for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress is certified as a participating candidate under title V with respect to the election, any contribution which the candidate is permitted to accept under such title may be used only for authorized expenditures in connection with the candidate's campaign for such office, subject to section 503(b).''.

SEC. 8114. DEADLINE FOR REGULATIONS; EFFECTIVE DATE.

(a) IN GENERAL.—Not later than October 1, 2026, the Federal Election Commission shall promulgate such regulations as may be necessary to carry out this part and the amendments made by this part.

(b) EFFECTIVE DATE.—This part and the amendments made by this part shall take effect on October 1, 2026, without regard to whether the Commission has promulgated the regulations required under subsection (a) by such date.

Subtitle C—Personal Use Services as Authorized Campaign Expenditures

SEC. 8201. SHORT TITLE; FINDINGS; PURPOSE.

(a) SHORT TITLE.—This subtitle may be cited as the ''Help America Run Act''.

(b) FINDINGS.—Congress finds the following:

(1) Everyday Americans experience barriers to entry before they can consider running for office to serve their communities.

(2) Current law states that campaign funds cannot be spent on everyday expenses that would exist whether or not a candidate were running for office, like childcare and food. While the law seems neutral, its actual effect is to privilege the independently wealthy who want to run, because given the demands of running for office, candidates who must work to pay for childcare or to afford health insurance are effectively being left out of the process, even if they have sufficient support to mount a viable campaign.

(3) Thus current practice favors those prospective candidates who do not need to rely on a regular paycheck to make ends meet. The consequence is that everyday Americans who have firsthand knowledge of the importance of stable childcare, a safety net, or great public schools are less likely to get a seat at the table. This governance by the few is antithetical to the democratic experiment, but most importantly, when lawmakers do not share the concerns of everyday Americans, their policies reflect that.

(4) These circumstances have contributed to a Congress that does not always reflect everyday Americans. The New York Times reported in 2019 that fewer than 5 percent of representatives cite blue-collar or service jobs in their biographies. A 2020 analysis by OpenSecrets of lawmakers' personal financial disclosure statements showed that the median net worth of lawmakers was just over $1,000,000, or nearly 9 times the median net worth of American families.

(5) These circumstances have also contributed to a governing body that does not reflect the nation it serves. For instance, women are 51 percent of the American population. Yet even with a record number of women serving in the One Hundred Eighteenth Congress, the Pew Research Center notes that nearly three out of four Members of this Congress are male. The Center for American Women and Politics found that one third of women legislators surveyed had been actively discouraged from running for office, often by political professionals. This type of discouragement, combined with the prohibitions on using campaign funds for domestic needs like childcare, burdens that still fall disproportionately on American women, particularly disadvantages working mothers. These barriers may explain why only 10 women in history have given birth while serving in Congress, in spite of the prevalence of working parents in other professions. Yet working mothers and fathers are best positioned to create policy that reflects the lived experience of most Americans.

(6) Working mothers, those caring for their elderly parents, and young professionals who rely on their jobs for health insurance should have the freedom to run to serve the people of the United States. Their networks and net worth are simply not the best indicators of their strength as prospective public servants. In fact, helping ordinary Americans to run may create better policy for all Americans.

(c) PURPOSE.—It is the purpose of this subtitle to ensure that all Americans who are otherwise qualified to serve this Nation are able to run for office, regardless of their economic status. By expanding permissible uses of campaign funds and providing modest assurance that testing a run for office will not cost one's livelihood, the Help America Run Act will facilitate the candidacy of representatives who more accurately reflect the experiences, challenges, and ideals of everyday Americans.

SEC. 8202. TREATMENT OF PAYMENTS FOR CHILD CARE AND OTHER PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.

(a) PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.—Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114), as amended by section 8113, is amended by adding at the end the following new subsection:

''(e) TREATMENT OF PAYMENTS FOR CHILD CARE AND OTHER PERSONAL USE SERVICES AS AUTHORIZED CAMPAIGN EXPENDITURE.—

''(1) AUTHORIZED EXPENDITURES.—For purposes of subsection (a), the payment by an authorized committee of a candidate for any of the personal use services described in paragraph (3) shall be treated as an authorized expenditure if the services are necessary to enable the participation of the candidate in campaign-connected activities.

''(2) LIMITATIONS.—

''(A) LIMIT ON TOTAL AMOUNT OF PAYMENTS.—The total amount of payments made by an authorized committee of a candidate for personal use services described in paragraph (3) may not exceed the limit which is applicable under any law, rule, or regulation on the amount of payments which may be made by the committee for the salary of the candidate (without regard to whether or not the committee makes payments to the candidate for that purpose).

''(B) CORRESPONDING REDUCTION IN AMOUNT OF SALARY PAID TO CANDIDATE.—To the extent that an authorized committee of a candidate makes payments for the salary of the candidate, any limit on the amount of such payments which is applicable under any law, rule, or regulation shall be reduced by the amount of any payments made to or on behalf of the candidate for personal use services described in paragraph (3), other than personal use services described in subparagraph (D) of such paragraph.

''(C) EXCLUSION OF CANDIDATES WHO ARE OFFICEHOLDERS.—Paragraph (1) does not apply with respect to an authorized committee of a candidate who is a holder of Federal office.

''(3) PERSONAL USE SERVICES DESCRIBED.—The personal use services described in this paragraph are as follows:

''(A) Child care services.

''(B) Elder care services.

''(C) Services similar to the services described in subparagraph (A) or subparagraph (B) which are provided on behalf of any dependent who is a qualifying relative under section 152 of the Internal Revenue Code of 1986.

''(D) Health insurance premiums.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

Subtitle D—Empowering Small Dollar Donations

SEC. 8301. PERMITTING POLITICAL PARTY COMMITTEES TO PROVIDE ENHANCED SUPPORT FOR HOUSE CANDIDATES THROUGH USE OF SEPARATE SMALL DOLLAR ACCOUNTS.

(a) INCREASE IN LIMIT ON CONTRIBUTIONS TO CANDIDATES.—Section 315(a)(2)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)(2)(A)) is amended by striking ''exceed $5,000'' and inserting ''exceed $5,000 or, in the case of a contribution made by a national committee of a political party from an account described in paragraph (11), exceed $10,000''.

(b) ELIMINATION OF LIMIT ON COORDINATED EXPENDITURES.—Section 315(d)(5) of such Act (52 U.S.C. 30116(d)(5)) is amended by striking ''subsection (a)(9)'' and inserting ''subsection (a)(9) or subsection (a)(11)''.

(c) ACCOUNTS DESCRIBED.—Section 315(a) of such Act (52 U.S.C. 30116(a)), as amended by section 8112(a), is amended by adding at the end the following new paragraph:

''(11) An account described in this paragraph is a separate, segregated account of a national congressional campaign committee of a political party which—

''(A) supports only candidates for election for the office of Representative in, or Delegate or Resident Commissioner to, the Congress; and

''(B) consists exclusively of contributions made during a calendar year by individuals whose aggregate contributions to the committee during the year do not exceed $200.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to elections held on or after the date of the enactment of this Act and shall take effect without regard to whether or not the Federal Election Commission has promulgated regulations to carry out such amendments.

Subtitle E—Severability

SEC. 8401. SEVERABILITY.

If any provision of this title or amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and amendments made by this title, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SA 2193. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Crimes Against Humanity and Torture

SEC. 1091. ACCOUNTABILITY FOR CRIMES AGAINST HUMANITY.

(a) IN GENERAL.—Part I of title 18, United States Code, is amended by inserting after chapter 25 the following:

''CHAPTER 25A—CRIMES AGAINST HUMANITY

''§ 515. Crimes against humanity

''(a) OFFENSE.—It shall be unlawful for any person to commit, or attempt or conspire to commit, as part of a widespread or systematic attack directed against any civilian population, and with knowledge of the attack or with intent that the conduct be part of the attack—

''(1) conduct that, if it occurred in the United States or in the special maritime and territorial jurisdiction of the United States, would violate—

''(A) section 1581(a) (relating to peonage);

''(B) section 1583(a)(1) (relating to kidnapping or carrying away individuals for involuntary servitude or slavery);

''(C) section 1584(a) (relating to sale into involuntary servitude);

''(D) section 1589(a) (relating to forced labor);

''(E) section 1590(a) (relating to trafficking with respect to peonage, slavery, involuntary servitude, or forced labor);

''(F) section 1111 (relating to murder);

''(G) section 1591(a) (relating to sex trafficking of children or by force, fraud, or coercion);

''(H) section 2241 (relating to aggravated sexual abuse by force, threat, or other means);

''(I) section 2242 (relating to sexual abuse);

''(J) section 1201(a)(relating to kidnapping), without regard to whether the offender is the parent of the victim;

''(K) section 1203(a) (relating to hostage taking), notwithstanding any exception under subsection (b) of that section; or

''(L) section 2340A (relating to torture), whether or not committed under the color of law; or

''(2) conduct that would, regardless of whether the conduct occurred in the context of an armed conflict, constitute—

''(A) cruel or inhuman treatment, as described in section 2441(d)(1)(B);

''(B) performing biological experiments, as described in section 2441(d)(1)(C);

''(C) mutilation or maiming, as described in section 2441(d)(1)(E); or

''(D) intentionally causing serious bodily injury, as described in section 2441(d)(1)(F).

''(b) PENALTY.—Any person who violates subsection (a)—

''(1) shall be fined under this title, imprisoned not more than 20 years, or both; and

''(2) if the death of any person results, shall be fined under this title and imprisoned for any term of years or for life.

''(c) JURISDICTION.—There is jurisdiction over an offense under subsection (a) if—

''(1) the offense occurs in whole or in part within the United States; or

''(2) regardless of where the offense occurs—

''(A) the victim or alleged offender is—

''(i) a national of the United States or an alien lawfully admitted for permanent residence, regardless of—

''(I) nationality at the time of the alleged offense;

''(II) whether the alleged offender had been granted that status at the time of the alleged offense; and

''(III) whether the alleged offender was entitled to that status; or

''(ii) a member of the Armed Forces of the United States, regardless of nationality; or

''(B) the alleged offender is present in the United States, regardless of the nationality of the victim or alleged offender.

''(d) NONAPPLICABILITY OF CERTAIN LIMITATIONS.—Notwithstanding section 3282, in the case of an offense under this section, an indictment may be found or an information may be instituted at any time without limitation.

''(e) CERTIFICATION REQUIREMENT.—

''(1) IN GENERAL.—No prosecution for an offense described in subsection (a) shall be undertaken by the United States except on written certification of the Attorney General, the Deputy Attorney General, or an Assistant Attorney General, which function of approving prosecutions may not be delegated, that a prosecution by the United States is in the public interest and necessary to secure substantial justice.

''(2) OFFENDER PRESENT IN UNITED STATES.—For an offense for which jurisdiction exists under subsection (c)(2)(B) (and does not exist under any other provision of subsection (c)), the written certification required under paragraph (1) of this subsection that a prosecution by the United States is in the public interest and necessary to secure substantial justice shall be made by the Attorney General or the Deputy Attorney General, which function may not be delegated. In issuing such certification, the same official shall weigh and consider, among other relevant factors—

''(A) whether the alleged offender can be removed from the United States for purposes of prosecution in another jurisdiction; and

''(B) potential adverse consequences for nationals, servicemembers, or employees of the United States.

''(f) INPUT FROM OTHER AGENCY HEADS.—The Secretary of Defense and Secretary of State may submit to the Attorney General for consideration their views generally regarding potential benefits, or potential adverse consequences for nationals, servicemembers, or employees of the United States, of prosecutions of offenses for which jurisdiction exists under subsection (c)(2)(B).

''(g) NO JUDICIAL REVIEW.—Certifications under subsection (e) and input from other agency heads under subsection (f) are not subject to judicial review.

''(h) NO LIMITATION ON CONDUCT IN ACCORDANCE WITH THE LAW OF WAR.—Nothing in this section shall be construed to penalize conduct—

''(1) to which the law of war applies; and

''(2) that is not prohibited by the law of war.

''(i) RULES OF CONSTRUCTION.—Nothing in this section shall be construed as—

''(1) support for ratification of or accession to the Rome Statute of the International Criminal Court, which entered into force on July 1, 2002; or

''(2) consent by the United States to any assertion or exercise of jurisdiction by any international, hybrid, or foreign court.

''(j) DEFINITIONS.—In this section:

''(1) ALIEN; LAWFULLY ADMITTED FOR PERMANENT RESIDENCE; NATIONAL OF THE UNITED STATES.—The terms 'alien', 'lawfully admitted for permanent residence', and 'national of the United States' have the meanings given those terms in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

''(2) ARMED FORCE OR GROUP.—The term 'armed force or group'—

''(A) means any military, militia, paramilitary, security force, or similar organization or group that takes up arms, whether or not the entity is state-sponsored; and

''(B) does not include any group assembled solely for the purpose of nonviolent association.

''(3) INTENTIONALLY TARGETS ANY CIVILIAN POPULATION AS SUCH.—The term 'intentionally targets any civilian population as such' does not include conduct undertaken in the context of and in association with an armed conflict that results in death, damage, or injury incident to an attack targeting a lawful military objective.

''(4) WIDESPREAD OR SYSTEMATIC ATTACK DIRECTED AGAINST ANY CIVILIAN POPULATION.—The term 'widespread or systematic attack directed against any civilian population' means a course of conduct that—

''(A) involves the multiple commission of acts referred to in subsection (a);

''(B) intentionally targets any civilian population as such; and

''(C) is pursuant to or in furtherance of a policy, plan, or program of a state or armed force or group to commit acts described in subparagraph (A).''.

(b) CLERICAL AMENDMENT.—The table of chapters for part I of title 18, United States Code, is amended by inserting after the item relating to chapter 25 the following:

''25A. Crimes against humanity ..... 515''.

SEC. 1092. TORTURE OF A UNITED STATES NATIONAL.

Section 2340A(b)(1) of title 18, United States Code, is amended by inserting ''or victim'' after ''offender''.

SA 2194. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. TERMINATION OF AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.

(a) FUTURE AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted into law after the date of enactment of this Act shall terminate on the date that is 10 years after the date of enactment of such authorization or declaration.

(b) EXISTING AUTHORIZATIONS FOR THE USE OF MILITARY FORCE AND DECLARATIONS OF WAR.—Any authorization for the use of military force or declaration of war enacted before the date of the enactment of this Act shall terminate on the date that is 6 months after the date of such enactment.

SA 2195. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITING PUNISHMENT OF ACQUITTED CONDUCT.

(a) USE OF INFORMATION FOR SENTENCING.—

(1) AMENDMENT.—Section 3661 of title 18, United States Code, is amended by inserting '', except that a court of the United States shall not consider, except for purposes of mitigating a sentence, acquitted conduct under this section'' before the period at the end.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply only to a judgment entered on or after the date of enactment of this section.

(b) DEFINITIONS.—Section 3673 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''As'' and inserting the following:

''(a) As''; and

(2) by adding at the end the following:

''(b) As used in this chapter, the term 'acquitted conduct' means—

''(1) an act—

''(A) for which a person was criminally charged and adjudicated not guilty after trial in a Federal, State, or Tribal court; or

''(B) in the case of a juvenile, that was charged and for which the juvenile was found not responsible after a juvenile adjudication hearing; or

''(2) any act underlying a criminal charge or juvenile information dismissed—

''(A) in a Federal court upon a motion for acquittal under rule 29 of the Federal Rules of Criminal Procedure; or

''(B) in a State or Tribal court upon a motion for acquittal or an analogous motion under the applicable State or Tribal rule of criminal procedure.''.

SA 2196. Mr. REED (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. AUTHORIZATION OF APPROPRIATIONS FOR INTERAGENCY COUNCIL ON HOMELESSNESS.

(a) IN GENERAL.—Title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) is amended—

(1) in section 208 (42 U.S.C. 11318), by striking ''to carry out this title $3,000,000 for fiscal year 2010 and such sums as may be necessary for fiscal years 2011'' and inserting ''such sums as may be necessary to carry out this title'';

(2) by striking section 209 (42 U.S.C. 11319); and

(3) by redesignating section 210 (42 U.S.C. 11320) as section 209.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11301 note) is amended by striking the items relating to sections 209 and 210 and inserting the following:

''Sec. 209. Encouragement of State involvement.''.

SA 2197. Mr. REED (for himself and Mrs. BRITT) submitted an amendment

intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FAMILY SELF-SUFFICIENCY ESCROW EXPANSION PILOT PROGRAM.

Section 23 of the United States Housing Act of 1937 (42 U.S.C. 1437u) is amended by adding at the end the following:

''(p) ESCROW EXPANSION PILOT PROGRAM.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED FAMILY.—The term 'covered family' means a family that receives direct assistance under section 8 or 9 of this Act and is enrolled in the pilot program established under this subsection.

''(B) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity described in subsection (c)(2).

''(C) ESCROW ACCOUNT AUTHORIZATION.—The term 'escrow account authorization' means the number of escrow accounts the Secretary authorizes eligible entities selected under this subsection to create and manage in accordance with paragraph (3).

''(2) ESTABLISHMENT.—The Secretary shall establish a pilot program under which the Secretary, through a competitive process, shall select not more than 25 eligible entities to establish and manage escrow accounts for not more than 5,000 covered families, in accordance with this subsection.

''(3) ESCROW ACCOUNTS.—

''(A) IN GENERAL.—An eligible entity selected to participate in the pilot program created under this subsection—

''(i) shall establish, on behalf of each covered family, an interest-bearing escrow account and place into the account an amount equal to any increase in the amount of rent paid by the family in accordance with the provisions of section 3, 8(o), or 8(y), as applicable, that is attributable to increases in earned income by the covered family during the participation of the family in the pilot program; and

''(ii) notwithstanding any other provision of law, may use funds it controls under section 8 or 9 for purposes of making the escrow deposit for covered families assisted under, or residing in units assisted under, section 8 or 9 of this title, respectively, provided such funds are offset by the increase in the amount of rent paid by the covered family.

''(B) INCOME LIMITATION.—The Secretary shall not escrow any amounts for any covered family whose adjusted income exceeds 80 percent of the area median income.

''(C) WITHDRAWALS.—A covered family shall be able to access funds in an escrow account established under this pilot program—

''(i) after the covered family ceases to receive income assistance under Federal or State welfare programs; and

''(ii)(I) not earlier than the date that is 5 years after the date on which the escrow account is established;

''(II) not later than the date that is 7 years after the date on which the escrow account is established, if the covered family chooses to continue to use the pilot program created under this subsection after the date that is 5 years after the date on which the escrow account is established;

''(III) on the date the covered family ceases to receive housing assistance under section 8 or 9, if such date is earlier than 5 years after the date on which the escrow account is established; or

''(IV) under other circumstances in which the Secretary determines an exemption for good cause is warranted.

''(4) EFFECT OF INCREASES IN FAMILY INCOME.—Any increase in the earned income of a covered family during the enrollment of the family in the pilot program established under this subsection may not be considered as income or a resource for purposes of eligibility of the family for other benefits, or amount of benefits payable to the family, under any program administered by the Secretary.

''(5) APPLICATION.—

''(A) IN GENERAL.—An eligible entity seeking to participate in the pilot program under this subsection shall submit to the Secretary an application—

''(i) at such time, in such manner, and containing such information as the Secretary may require by notice; and

''(ii) that includes the number of proposed covered families to be served by the eligible entity under this subsection.

''(B) GEOGRAPHIC AND ENTITY VARIETY.—The Secretary shall ensure that eligible entities selected to participate in the pilot program under this subsection—

''(i) are located across various States and in both urban and rural areas; and

''(ii) vary by size and type, including both public housing agencies and private owners of projects receiving project-based rental assistance under section 8.

''(6) NOTIFICATION AND OPT-OUT.—An eligible entity participating in the pilot program under this subsection shall—

''(A) notify covered families of their enrollment in the pilot program under this subsection;

''(B) provide covered families with a detailed description of the pilot program, including how the pilot program will impact their rent and finances; and

''(C) provide covered families with the ability to elect not to participate in the pilot program—

''(i) not less than 2 weeks before the date on which the escrow account is established under paragraph (3); and

''(ii) at any point during the duration of the pilot program.

''(7) MAXIMUM RENTS.—During the term of participation by a covered family in the pilot program under this subsection, the amount of rent paid by the enrolled family shall be calculated under the rental provisions of section 3 or 8(o), as applicable.

''(8) PILOT PROGRAM TIMELINE.—

''(A) AWARDS.—Not later than 18 months after the date of enactment of this subsection, the Secretary shall select the eligible entities to participate in the pilot program.

''(B) ESTABLISHMENT AND TERM OF ACCOUNTS.—An eligible entity selected to participate in the pilot program under this subsection shall—

''(i) not later than 6 months after selection and receipt of escrow account authority, establish escrow accounts under paragraph (3) for covered families; and

''(ii) maintain those escrow accounts for not less than 5 years, or until the date the family ceases to receive assistance under section 8 or 9, and, at the discretion of the covered family, not more than 7 years after the date on which the escrow account is established.

''(9) NONPARTICIPATION AND HOUSING ASSISTANCE.—

''(A) IN GENERAL.—Assistance under section 8 or 9 for a family that elects not to participate in the pilot program shall not be delayed by reason of such election.

''(B) NO TERMINATION.—Housing assistance may not be terminated as a consequence of participating, or not participating, in the pilot program under this subsection for any period of time.

''(10) STUDY.—Not later than 7 years after the date the Secretary selects eligible entities to participate in the pilot program under this subsection, the Secretary shall conduct a study and submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on outcomes for covered families under the pilot program under this subsection, which shall evaluate the effectiveness of the pilot program in assisting families to achieve economic independence and self-sufficiency, and the impact coaching and supportive services, or the lack thereof, had on individual incomes.

''(11) TERMINATION.—The pilot program under this subsection shall terminate on the date that is 10 years after the date of enactment of this subsection.

''(12) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There is authorized to appropriated to the Secretary for fiscal year 2025 $5,000,000 to carry out program administration and evaluation under this subsection.

''(B) AVAILABILITY.—Any amounts appropriated under this subsection shall remain available until expended.''.

SA 2198. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. RESEARCH AND EDUCATIONAL PROGRAMS AND ACTIVITIES AT HBCUS AND OTHER MINORITY-SERVING INSTITUTIONS.

Section 4144 of title 10, United States Code, is amended—

(1) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(2) by striking subsection (d) and inserting the following:

''(d) INCENTIVES.—The Secretary of Defense shall develop incentives to encourage research and educational collaborations between covered educational institutions and other institutions of higher education.

''(e) REQUIREMENTS FOR UARCS AND FFRDCS.—(1) Each federally funded research and development center and University Affiliated Research Center that receives funds from the Department of Defense in a fiscal year, shall allocate the applicable percentage (as described in paragraph (2)) of the total amount of funds received from the Department in such fiscal year to support research activities (which may include activities described in subsection (c)) conducted in partnership with covered educational institutions that have less than $151,000,000 in federal grants and contract revenue.

''(2) For purposes of paragraph (1), the applicable percentage is—

''(A) for fiscal year 2025, not less than 2 percent;

''(B) for fiscal year 2026, not less than 4 percent;

''(C) for fiscal year 2027, not less than 6 percent;

''(D) for fiscal year 2028, not less than 8 percent; and

''(E) for fiscal year 2029 and each fiscal year thereafter, not less than 10 percent.

''(3) On an annual basis, each federally funded research and development center and

University Affiliated Research Center subject to the requirements of paragraph (1) shall submit to the Secretary of Defense and the congressional defense committees a report on—

''(A) the amount of funds made available covered educational institutions under such paragraph; and

''(B) the activities carried out with such funds.''.

SA 2199. Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

SEC. 605. BASIC ALLOWANCE FOR HOUSING: AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—For fiscal year 2025, there is authorized to be appropriated $1,200,000,000 for the purpose of fully funding the basic allowance for housing for members of the uniformed services under section 403 of title 37, United States Code.

(b) OFFSETS.—

(1) UNOBLIGATED BALANCES OF MILITARY PERSONNEL APPROPRIATIONS.—Of the unobligated balances of military personnel appropriations specified in section 4401, $462,400,000 shall be available to offset the cost of the authorization of appropriations under subsection (a).

(2) UNDISTRIBUTED AMOUNTS FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—Of the undistributed amounts for operation and maintenance, Defense-wide, specified in section 4301, $737,600,000 shall be available to offset the cost of the authorization of appropriations under subsection (a).

SA 2200. Ms. KLOBUCHAR (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X of division A, add the following:

SEC. _____. PREPARING ELECTION ADMINISTRATORS FOR ARTIFICIAL INTELLIGENCE.

(a) VOLUNTARY GUIDELINES FOR ADMINISTRATION OF ELECTIONS THAT ADDRESS THE USE AND RISKS OF ARTIFICIAL INTELLIGENCE TECHNOLOGIES.—

(1) REPORT AND VOLUNTARY GUIDELINES.—Not later than 60 days after the date of the enactment of this Act, the Election Assistance Commission shall, in consultation with the National Institute of Standards and Technology, submit to Congress, issue to State and local election offices, and make available to the public a report with voluntary guidelines for election offices that address the use and risks of artificial intelligence technologies in the administration of elections.

(2) CONTENTS.—The report submitted and made available pursuant to paragraph (1) shall include voluntary guidelines that address—

(A) the risks and benefits associated with using artificial intelligence technologies to conduct election administration activities;

(B) the cybersecurity risks of artificial intelligence technologies to election administration;

(C) how information generated and distributed by artificial intelligence technologies can affect the sharing of accurate election information and how election offices should respond; and

(D) how information generated and distributed by artificial intelligence technologies can affect the spreading of election disinformation that undermines public trust and confidence in elections.

(b) STUDY ON USE OF ARTIFICIAL INTELLIGENCE TECHNOLOGIES IN THE 2024 ELECTIONS.—

(1) IN GENERAL.—Not later than November 5, 2025, the Election Assistance Commission, in consultation with the National Institute of Standards and Technology, shall study and submit to Congress, issue to State and local election offices, and make available to the public a report on the use and impacts of artificial intelligence technologies in the elections for Federal office held in 2024, including how information generated by artificial intelligence technologies was shared and the use of artificial intelligence technologies by election offices.

(2) REVIEW AND UPDATE OF VOLUNTARY GUIDELINES.—Taking into consideration the results of the study conducted under paragraph (1), the Election Assistance Commission shall review and update the voluntary guidelines issued under subsection (a)(1) as appropriate.

SA 2201. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION __—AI TRANSPARENCY IN ELECTIONS

SEC. __0001. SHORT TITLE.

This division may be cited as the AI Transparency in Elections Act of 2024.

SEC. __0002. REQUIRING DISCLAIMERS ON ADVERTISEMENTS CONTAINING CONTENT SUBSTANTIALLY GENERATED BY ARTIFICIAL INTELLIGENCE.

(a) REQUIREMENT.—Section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

''(e) SPECIAL DISCLAIMER FOR COVERED COMMUNICATIONS CONTAINING CONTENT SUBSTANTIALLY GENERATED BY ARTIFICIAL INTELLIGENCE.—

''(1) DEFINITIONS.—For purposes of this subsection:

''(A) COVERED COMMUNICATION.—

''(i) IN GENERAL.—The term 'covered communication' means a communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, telephone bank, internet or other digital medium, or any other type of general public political advertising that—

''(I) expressly advocates for or against the nomination or election of a candidate;

''(II) refers to a candidate at any time during the period beginning 120 days before the date of a primary election or nominating caucus or convention and ending on the date on which a general election occurs; or

''(III) solicits a contribution for a candidate or political committee or any other person who makes disbursements for communications described in subclause (I) or (II).

''(ii) VOICE AND LIKENESS.—A communication that invokes the likeness or voice of a candidate shall be treated as a communication that refers to such candidate.

''(B) GENERATIVE ARTIFICIAL INTELLIGENCE.—The term 'generative artificial intelligence' means artificial intelligence technology that uses machine learning (including deep-learning models, natural language processing, or other computational processing techniques of similar or greater complexity) to generate text, images, audio, video, or other media.

''(C) SUBSTANTIALLY GENERATED BY ARTIFICIAL INTELLIGENCE.—

''(i) IN GENERAL.—The term 'substantially generated by artificial intelligence' means an image, audio, or video that was created or materially altered using generative artificial intelligence.

''(ii) EXCEPTION.—Such term does not include an image, audio, or video that—

''(I) has only minor alterations by generative artificial intelligence (including cosmetic adjustments, color editing, cropping, resizing, and other immaterial uses); and

''(II) does not create a fundamentally different understanding than a reasonable person would have from an unaltered version of the media.

''(2) REQUIREMENT.—When a person makes a disbursement for the purpose of financing a covered communication containing an image, audio, or video that was substantially generated by artificial intelligence, the covered communication shall include, in a clear and conspicuous manner, a statement that the covered communication contains such an image, audio, or video.

''(3) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement required under this subsection shall be considered to be made in a clear and conspicuous manner if the statement meets the following requirements:

''(A) IMAGE COVERED COMMUNICATIONS.—In the case of an image that is a covered communication, the statement—

''(i) appears in letters at least as large as the majority of the text in the covered communication or otherwise meets the requirements under subsection (c)(1);

''(ii) meets the requirements of paragraphs (2) and (3) of subsection (c);

''(iii) states that the covered communication was created or materially altered by artificial intelligence; and

''(iv) is permanently affixed to the covered communication.

''(B) AUDIO COVERED COMMUNICATIONS.—In the case of an audio covered communication, the statement—

''(i) is spoken in a clearly audible and intelligible manner at the beginning or end of the covered communication and lasts not fewer than 4 seconds; and

''(ii) includes the following audio statement in a clearly spoken manner: '_____ used artificial intelligence to generate the contents of this communication.' (with the blank filled in with the name of person who made the disbursement to pay for such covered communication).

''(C) VIDEO COVERED COMMUNICATIONS.—In the case of a video covered communication that also includes audio, the statement is made both in—

''(i) a written format that meets the requirements of subparagraph (A) and appears throughout the length of the video covered communication; and

''(ii) an audible format that meets the requirements of subparagraph (B).''.

(b) ENFORCEMENT.—

(1) IN GENERAL.—Section 309(a)(4)(C)(i) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(4)(C))(i)) is amended—

(A) in the matter before subclause (I), by inserting o''r a qualified disclaimer requirement'' after ''a qualified disclosure requirement''; and

(B) in subclause (II)—

(i) by striking ''a civil money penalty in an amount determined, for violations of each qualified disclosure requirement'' and inserting ''a civil money penalty—

''(aa) for violations of each qualified disclosure requirement, in an amount determined'';

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

(iii) by adding at the end the following new item:

''(bb) for violations of each qualified disclaimer requirement, in an amount which is determined under a schedule of penalties which is established and published by the Commission and which takes into account the existence of previous violations by the person and how broadly the communication is distributed and such other factors as the Commission considers appropriate, provided that any such civil penalty shall not exceed $50,000 per covered communication.''.

(2) FAILURE TO RESPOND.—Section 309(a)(4)(C)(ii) of such Act (52 U.S.C. 30109(a)(4)(C)(ii)) is amended by striking the period at the end and inserting '', except that in the case of a violation of a qualified disclaimer requirement, failure to timely respond after the Commission has notified the person of an alleged violation under subsection (a)(1) shall constitute the person's admission of the factual allegations of the complaint.''.

(3) QUALIFIED DISCLAIMER REQUIREMENT DEFINED.—Section 309(a)(4)(C) of such Act (52 U.S.C. 30109(a)(4)(C)) is amended by redesignating clause (v) as clause (vi) and by inserting after clause (iv) the following new clause:

''(v) In this subparagraph, the term 'qualified disclaimer requirement' means the requirement of section 318(e)(2).''.

(4) APPLICATION.—Clause (vi) of section 309(a)(4)(C) of such Act (52 U.S.C. 30109(a)(4)(C)), as redesignated by paragraph (3), is amended—

(A) by striking ''shall apply with respect to violations'' and inserting ''shall apply—

''(I) with respect to violations of qualified disclosure requirements'';

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

(C) by adding at the end the following new subclause:

''(II) with respect to violations of qualified disclaimer requirements occurring on or after the date of the enactment of the AI Transparency in Elections Act of 2024.''.

(5) TIME OF JUDICIAL REVIEW.—Section 309(a)(8)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(a)(8)(A)) is amended by inserting ''(45-day period in the case of any complaint alleging a violation of section 318(e)(2))'' after ''120-day period''.

(c) REGULATIONS.—Not later than 90 days after the date of enactment of the AI Transparency in Elections Act of 2024, the Federal Election Commission shall, in consultation with the Director of the National Institute of Standards and Technology, promulgate a regulation to carry out the amendments made by subsections (a) and (b), including—

(1) criteria for determining whether a covered communication (as defined in section 318(e) of the Federal Election Campaign Act of 1971, as added by subsection (a)) contains an image, audio, or video substantially generated by artificial intelligence (as defined in such section); and

(2) requirements for the contents of the statement required under section 318(e)(2) of the Federal Election Campaign Act of 1971, as added by subsection (a).

(d) EFFECTIVE DATE.—The amendments made by this section shall—

(1) apply with respect to any communication made after the date of enactment of this Act; and

(2) take effect without regard to whether the Federal Election Commission has promulgated regulations to carry out such amendments.

SEC. __0003. REPORTS.

Not later than 2 years after the date of enactment of this Act, and biannually thereafter, the Federal Election Commission shall submit a report to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives that includes—

(1) an assessment of the compliance with and the enforcement of the requirements of subsection (e) of section 318 of the Federal Election Campaign Act of 1971, as added by this Act; and

(2) recommendations for any modifications to that subsection to assist in carrying out the purposes of that subsection.

SEC. __0004. SEVERABILITY.

If any provision of this division or any amendment made by this division, or the application of any such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this division, and the application of such provision or amendment to any other person or circumstance, shall not be affected by the holding.

SA 2202. Ms. KLOBUCHAR (for herself, Mr. HAWLEY, and Mr. COONS) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X of division A, add the following:

SEC. _____. PROHIBITION ON DISTRIBUTION OF MATERIALLY DECEPTIVE AI-GENERATED AUDIO OR VISUAL MEDIA PRIOR TO ELECTION.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by adding at the end the following new section:

''SEC. 325. PROHIBITION ON DISTRIBUTION OF MATERIALLY DECEPTIVE AI-GENERATED AUDIO OR VISUAL MEDIA.

''(a) DEFINITIONS.—In this section:

''(1) COVERED INDIVIDUAL.—The term 'covered individual' means a candidate for Federal office.

''(2) DECEPTIVE AI-GENERATED AUDIO OR VISUAL MEDIA.—The term 'deceptive AI-generated audio or visual media' means an image, audio, or video that—

''(A) is the product of artificial intelligence technology that uses machine learning (including deep learning models, natural learning processing, or any other computational processing techniques of similar or greater complexity), that—

''(i) merges, combines, replaces, or superimposes content onto an image, audio, or video, creating an image, audio, or video that appears authentic; or

''(ii) generates an inauthentic image, audio, or video that appears authentic; and

''(B) a reasonable person, having considered the qualities of the image, audio, or video and the nature of the distribution channel in which the image, audio, or video appears—

''(i) would have a fundamentally different understanding or impression of the appearance, speech, or expressive conduct exhibited in the image, audio, or video than that person would have if that person were hearing or seeing the unaltered, original version of the image, audio, or video; or

''(ii) would believe that the image, audio, or video accurately exhibits any appearance, speech, or expressive conduct of a person who did not actually exhibit such appearance, speech, or expressive conduct.

''(3) FEDERAL ELECTION ACTIVITY.—The term 'Federal election activity' has the meaning given the term in section 301(20)(A)(iii).

''(b) PROHIBITION.—Except as provided in subsection (c), a person, political committee, or other entity may not knowingly distribute materially deceptive AI-generated audio or visual media in carrying out a Federal election activity or of a covered individual for the purpose of—

''(1) influencing an election; or

''(2) soliciting funds.

''(c) INAPPLICABILITY TO CERTAIN ENTITIES.—This section shall not apply to the following:

''(1) A radio or television broadcasting station, including a cable or satellite television operator, programmer, or producer, or a streaming service that broadcasts materially deceptive AI-generated audio or visual media prohibited by this section as part of a bona fide newscast, news interview, news documentary, or on-the-spot coverage of bona fide news events, if the broadcast clearly acknowledges through content or a disclosure, in a manner that can be easily heard or read by the average listener or viewer, that there are questions about the authenticity of the materially deceptive AI-generated audio or visual media.

''(2) A regularly published newspaper, magazine, or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest, and that publishes materially deceptive AI-generated audio or visual media prohibited under this section, if the publication clearly states that the materially deceptive AI-generated audio or visual media does not accurately represent the speech or conduct of the covered individual.

''(3) Materially deceptive AI-generated audio or visual media that constitutes satire or parody.

''(d) CIVIL ACTION.—

''(1) INJUNCTIVE OR OTHER EQUITABLE RELIEF.—

''(A) IN GENERAL.—A covered individual whose voice or likeness appears in, or who is the subject of, a materially deceptive AI-generated audio or visual media, including content distributed as part of a Federal election activity, distributed in violation of this section may seek injunctive or other equitable relief prohibiting the distribution of materially deceptive AI-generated audio or visual media in violation of this section.

''(B) PRECEDENCE.—An action under this paragraph shall be entitled to precedence in accordance with the Federal Rules of Civil Procedure.

''(2) DAMAGES.—

''(A) IN GENERAL.—A covered individual whose voice or likeness appears in, or who is the subject of, a materially deceptive AI-generated audio or visual media, including

content distributed as part of a Federal election activity, distributed in violation of this section may bring an action for general or special damages against the person, committee, or other entity that distributed the materially deceptive AI-generated audio or visual media.

''(B) ATTORNEY'S FEES AND COSTS.—In addition to any damages awarded under subparagraph (A), the court may also award a prevailing party reasonable attorney's fees and costs.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit or preclude a plaintiff from securing or recovering any other available remedy.

''(3) BURDEN OF PROOF.—In any civil action alleging a violation of this section, the plaintiff shall bear the burden of establishing the violation through clear and convincing evidence.''.

(b) SEVERABILITY.—If any provision of this section, or an amendment made by this section, or the application of such provision to any person or circumstance, is held to be invalid, the remainder of this section, or an amendment made by this section, or the application of such provision to other persons or circumstances, shall not be affected.

SA 2203. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. RETROACTIVE FOREIGN AGENTS REGISTRATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Retroactive Foreign Agents Registration Act''.

(b) CLARIFYING OBLIGATION TO REGISTER RETROACTIVELY AS AGENTS OF FOREIGN PRINCIPALS.—

(1) OBLIGATION.—The third sentence of section 2(a) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612(a)) is amended by striking ''for the period'' and inserting ''covering the period''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any individual who serves as the agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended, at any time before, on, or after the date of enactment of this Act.

(c) PERMITTING ORDER REQUIRING COMPLIANCE TO APPLY RETROACTIVELY.—

(1) RETROACTIVE COMPLIANCE.—Section 8(f) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 618(f)) is amended—

(A) by inserting after the first sentence the following: ''The Attorney General may make application for an order requiring a person to comply with any appropriate provision of this Act or any regulation thereunder while the person acts as an agent of a foreign principal or at any time thereafter.''; and

(B) by striking the period at the end and inserting the following: '', including an order requiring a person to comply with section 2 with respect to any period during which the person acts as the agent of a foreign principal notwithstanding that the person does not act as the agent of a foreign principal at the time the court issues the order.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any individual who serves as the agent of a foreign principal under the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611 et seq.) at any time before, on, or after the date of enactment of this Act.

SA 2204. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—NO ICBMS FOR IRAN ACT OF 2024

SEC. 1701. SHORT TITLE.

This title may be cited as the ''No ICBMs for Iran Act of 2024''.

Subtitle A—Sanctions and Report on Iranian Space-launch Vehicles and Intercontinental Ballistic Missiles

SEC. 1711. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Islamic Republic of Iran has the largest ballistic missile arsenal in the Middle East, which Iran uses to threaten forces of the United States and partners of the United States in the region.

(2) Iran is progressing toward developing an intercontinental ballistic missile (commonly referred to an ''ICBM'') capability. In 2023, the Defense Intelligence Agency reported that Iran's progress on its space-launch vehicles shortens the time needed for Iran to produce an ICBM since space-launch vehicles and ICBMs use similar technologies.

(3) Iran continues to rely on illicit foreign procurement to support its long-range missile aspirations. For example, Iran recently tried to purchase from the Russian Federation and the People's Republic of China ammonium perchlorate, which is the main ingredient in solid propellants to power missiles.

(4) Iran relies at least in part on networks in Hong Kong and the People's Republic of China to procure dual-use materials and equipment for its longer-range ballistic missile program.

(5) North Korea historically has played a role in supporting longer-range Iranian ballistic missile capabilities. Specifically, North Korea provided the Nodong-A to Iran in the 1990s, which Iran used to develop both its first nuclear-capable medium-range ballistic missile and liquid propellant engines for its space-launch vehicles.

(6) While the Iran Space Agency, a government organization subject to sanctions, develops space capabilities for Iran's ministry of defense as well as the communications sector, Iran's Revolutionary Guard Corps Aerospace Force (commonly referred to as the ''IRGC–AF'') runs a parallel space program employing solid-propellant motors, which if used in ICBM technology, would enable launches with little warning.

(7) Iran continues work on larger diameter solid-propellant motors, like the Rafa'e, and is now reportedly in the possession of an all-solid-propellant space-launch vehicle called the Qaem–100. Iran successfully launched a satellite into orbit using its Qaem–100 rocket January 2024.

(8) Iran's development, production, and transfer of space-launch vehicle and ballistic missile technology violated Annex B of United Nations Security Council Resolution 2231 (2015), which enshrined certain restrictions under the Joint Comprehensive Plan of Action. Those restrictions expired on October 18, 2023.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Iran's space program continues to function as a cover for Iran's quest for an ICBM;

(2) the possession by Iran of an ICBM would pose a direct threat to the United States homeland and partners of the United States in Europe; and

(3) the United States should work to deny Iran the ability to hold the United States homeland or European partners of the United States at risk with an ICBM.

SEC. 1712. DETERMINATION AND MANDATORY IMPOSITION OF SANCTIONS UNDER EXECUTIVE ORDER 13382.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall—

(1) determine whether each individual or entity specified in subsection (b) meets the criteria for the imposition of sanctions under Executive Order 13382 (50 U.S.C. 1701 note; relating to blocking property of weapons of mass destruction proliferators and their supporters); and

(2) with respect to any such individual or entity the President determines does meet such criteria, impose such sanctions.

(b) INDIVIDUALS AND ENTITIES SPECIFIED.—The individuals and entities specified in this subsection are the following:

(1) The Space Division of the IRGC–AF.

(2) All senior officers of the IRGC–AF.

(3) Brigadier General Amir-Ali Hajizadeh, the commander of the IRGC–AF.

(4) General Majid Mousavi, the deputy commander of the IRGC–AF.

(5) Second Brigadier General Ali-Jafarabadi, the commander of the Space Division of the IRGC–AF.

SEC. 1713. REPORT ON SUPPORT FOR IRAN'S SPACE, AEROSPACE, AND BALLISTIC MISSILE SECTORS AND UNITED STATES CAPACITY TO DENY INTERCONTINENTAL BALLISTIC MISSILE ATTACKS FROM IRAN.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of the Treasury, the Secretary of State, the Secretary of Commerce, and the Director of National Intelligence, shall submit to the congressional defense committees a report that includes the following:

(1) An identification of entities in Iran not subject to sanctions imposed by the United States as of the date of the report that are helping to support Iran's space, aerospace, and ballistic missile sectors, including public and private entities making a material contribution to Iran's development of space-launch vehicles or ICBMs.

(2) An identification of the countries the governments of which continue to support Iran's space, aerospace, and ballistic missile activities.

(3) With respect to each country identified under paragraph (2), the following:

(A) Actions taken by the government of the country or other entities within the country to support Iran's space, aerospace, and ballistic missile activities, including the transfer of missiles, engines, propellant or materials that can be used for fuel, or other technologies that could make a material contribution to development of space-launch vehicles or ICBMs.

(B) Any actions described in subparagraph (A) or proposals for such actions being negotiated or discussed as of the date of the report.

(4) An assessment of Iran's ICBM technology, including the following:

(A) Key steps Iran would need to take to develop an ICBM.

(B) An assessment of which rocket motors Iran would likely use to build an ICBM.

(C) Technological hurdles Iran would still need to overcome to develop an ICBM.

(D) Pathways to overcome the hurdles described in subparagraph (C), including the potential transfer of technologies from North Korea, the Russian Federation, or the People's Republic of China.

(E) An estimated timeline for Iran to develop an ICBM if Iran chooses to do so.

(b) UPDATES.—As new information becomes available and not less frequently than annually, the Secretary shall submit to the congressional defense committees an updated version of the report required by subsection (a) that includes updated information under paragraphs (1) through (4) of that subsection.

(c) FORM.—Each report submitted under this section shall be submitting in unclassified form, but may include a classified annex.

(d) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 1714. REPORT ON SENIOR OFFICIALS OF GOVERNMENT OF IRAN RESPONSIBLE FOR SPACE-LAUNCH VEHICLE OR BALLISTIC MISSILE TESTS.

(a) IN GENERAL.—Not later than 30 days after the date on which the President determines that the Government of Iran has conducted a test of a space-launch vehicle or ballistic missile, the President shall submit to the appropriate congressional committees a notification that identifies each senior official of the Government of Iran that the President determines is responsible for ordering, controlling, or otherwise directing the test.

(b) ELEMENTS.—The notification required by subsection (a) shall include—

(1) available information on the ballistic missile or the generic class of ballistic missile or space rocket that was launched;

(2) the trajectory, duration, range, and altitude of the flight of the missile or rocket;

(3) the duration, range, and altitude of the flight of each stage of the missile or rocket;

(4) the location of the launch point and impact point;

(5) the payload; and

(6) other technical information that is available.

(c) FORM.—The notification required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle B—Sanctions and Reports Relating to Iranian Unmanned Aerial Systems

SEC. 1721. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) Iran has a robust unmanned aerial system program under which Iran operates several unmanned aerial systems, including combat drones, drones capable of conducting intelligence, surveillance, and reconnaissance, and suicide or kamikaze drones.

(2) Iran has supplied thousands of unmanned aerial systems to the Russian Federation, including several hundred of the Shahed–136 suicide drone.

(3) Iran and the Russian Federation are reportedly planning to build 6,000 Geran–2 drones, the Russian-made version of the Iranian Shahed–136, at a new facility in the Russian Federation.

(4) The Iranian supply of unmanned aerial systems to the Russian Federation has fueled the Russian Federation's murderous invasion of Ukraine and caused countless civilian deaths.

(5) The United States found parts made by more than a dozen United States or western companies in an Iranian unmanned aerial system downed in Ukraine, which are likely transferred to Iran illegally.

(6) Iran is also responsible for the proliferation of unmanned aerial systems to terrorist groups in the Middle East, including Hamas in Gaza, Hezbollah in Lebanon, and the Houthis in Yemen, which have all employed drones in their murderous attacks on Israel following the October 7, 2023, terrorist attacks by Hamas in Israel, which killed more than 1,400 innocent civilians.

(7) Iran's transfer of unmanned aerial systems to other governments and terrorist groups has violated Annex B of United Nations Security Council Resolution 2231 (2015) and restrictions imposed under the Joint Comprehensive Plan of Action, which expired on October 18, 2023.

(8) Upon the expiration of those restrictions, Iran's transfer of deadly unmanned aerial systems and ballistic missiles to actors like Hamas and the Russian Federation became legal under international law.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Iran's unmanned aerial system program contributes significantly to the instability of the Middle East and threatens the security of the United States and its partners in the Middle East, including Israel;

(2) the provision of Iranian unmanned aerial systems gives the Russian Federation an advantage in its war in Ukraine and contributes to the dangerous partnership between Iran and the Russian Federation;

(3) the expiration of restrictions under the Joint Comprehensive Plan of Action and Annex B of United Nations Security Council Resolution 2231 on October 18, 2023, helps facilitate Iran's development and transfer of deadly unmanned aerial systems and ballistic missiles to actors like Hamas and the Russian Federation; and

(4) the United States should seek to hinder Iran's unmanned aerial system production, its transfer of such systems to the Russian Federation, Hamas, and other hostile state and non-state actors, and to prevent the further use of United States components in Iranian unmanned aerial systems.

SEC. 1722. INCLUSION OF UNMANNED AERIAL SYSTEMS AND CRUISE MISSILES UNDER COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT OF 2010.

(a) FINDINGS.—Section 2(1) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501(1)) is amended by striking ''and ballistic missiles'' and inserting '', ballistic missiles, and unmanned aerial systems and cruise missiles''.

(b) INCLUSION IN GOODS, SERVICES, AND TECHNOLOGIES OF DIVERSION CONCERN.—Section 302(b)(1)(B) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8542(b)(1)(B)) is amended—

(1) in clause (ii), by striking ''; or'' and inserting a semicolon;

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following:

''(iii) unmanned aerial system (as defined in section 1727 of the No ICBMs for Iran Act of 2024) or cruise missile program; or''.

(c) SUNSET.—Section 401(a)(2) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)(2)) is amended by striking ''and ballistic missiles and ballistic missile launch technology'' and inserting '', ballistic missiles and ballistic missile launch technology, and unmanned aerial system (as defined in section 1727 of the No ICBMs for Iran Act of 2024) and cruise missile programs.''.

SEC. 1723. INCLUSION OF UNMANNED AERIAL SYSTEMS IN ENFORCEMENT OF ARMS EMBARGOS UNDER COUNTERING AMERICA'S ADVERSARIES THROUGH SANCTIONS ACT.

Section 107(a)(1) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9406(a)(1)) is amended by inserting ''unmanned aerial systems (as defined in section 1727 of the No ICBMs for Iran Act of 2024),'' after ''warships,''.

SEC. 1724. INCLUSION OF UNMANNED AERIAL SYSTEMS UNDER IRAN-IRAQ ARMS NON-PROLIFERATION ACT OF 1992.

Section 1608(1) of the Iran-Iraq Arms Non-Proliferation Act of 1992 (Public Law 102–484; 50 U.S.C. 1701 note) is amended by inserting ''unmanned aerial systems (as defined in section 1727 of the No ICBMs for Iran Act of 2024),'' after ''cruise missiles,''.

SEC. 1725. STRATEGY TO COUNTER IRANIAN UNMANNED AERIAL SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report (with a classified annex) that includes a strategy for countering Iran's growing unmanned aerial systems program and its transfer of unmanned aerial systems and related technology to foreign states and non-state actors.

(b) PLAN TO PREVENT IRAN OBTAINING UNITED STATES MATERIALS.—

(1) IN GENERAL.—The strategy required by subsection (a) shall draw upon the work of the President Biden's interagency task force investigating the presence of United States parts in Iranian unmanned aerial systems to develop a plan for preventing Iran from obtaining United States materials for its unmanned aerial system program.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) A list of identified United States components found in Iranian unmanned aerial systems and a list of United States suppliers of those components.

(B) An assessment of existing export controls for components described in subparagraph (A) and a plan to strengthen those export controls, including through any necessary legislative action by Congress.

(C) An investigation into and identification of foreign actors, including individuals and government and nongovernmental entities, that are supplying components to the Iranian unmanned aerial system and weapons programs.

(D) Strategies to deny supply chains for such components, including any sanctions or other actions to target the individuals or entities identified under subparagraph (C).

(E) An identification of any additional authorities or funding needed to enable the investigation of how Iran is obtaining United States components for its unmanned aerial system program.

(F) An assessment of how the Bureau of Industry and Security of the Department of Commerce is monitoring compliance with their restrictions on Iranian unmanned aerial system producers aimed at ensuring

United States and other foreign-made components are not being used in Iranian unmanned aerial systems.

(G) An investigation into Iran's use of shell companies to evade sanctions and restrictions on the use of United States or other foreign-made components in Iranian unmanned aerial system production.

(H) Strategies to ensure United States manufacturers of critical components for unmanned aerial systems can verify the end users of those components.

(I) Any other actions that could be use to disrupt Iran's unmanned aerial system and weapons programs and its transfers to foreign states and non-state actors.

(c) DIPLOMATIC STRATEGY.—The strategy required by subsection (a) shall include a diplomatic strategy to coordinate with allies of the United States to counter Iran's unmanned aerial system production and transfer of unmanned aerial systems and related technologies to foreign states and non-state actors, including the following:

(1) Coordination with respect to sanctions comparable to the sanctions the United States is required to apply under the amendments made by this subtitle.

(2) Intelligence sharing with allies of the United States to determine how Iran is obtaining western components for its unmanned aerial system program.

(3) Intelligence sharing with allies of the United States to track, monitor, and disrupt Iranian transfers of its unmanned aerial system technology to foreign states and non-state actors.

(4) A plan to cooperate with allies of the United States to develop or advance anti-unmanned aerial system equipment.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1726. REPORT ON SUPPORT FOR IRAN'S UNMANNED AERIAL SYSTEM PROGRAM AND RELATED TECHNOLOGY TRANSFERS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, the Director of National Intelligence, the Secretary of the Treasury, and the Secretary of Commerce, shall submit to the congressional defense committees a report that outlines the following:

(1) Domestic industries, individuals, or entities in Iran not subject to sanctions imposed by the United States as of the date of the report that are helping to support Iran's unmanned aerial system program, including both public and private entities making a material contribution to Iran's production of unmanned aerial systems.

(2) A list of foreign states or non-state actors using Iranian unmanned aerial system technology or looking to purchase it, including any negotiations or discussions ongoing as of the date of the enactment of this Act between Iran and a foreign state or non-state actor to acquire such technology from Iran.

(3) An assessment of cooperation between Iran and the People's Republic of China to develop, produce, acquire, or export unmanned aerial system technology.

(4) An assessment of cooperation between Iran and the Russian Federation to develop, produce, acquire, or export unmanned aerial system technology, including a status update on Russian capabilities to produce Iranian unmanned aerial systems.

(5) An assessment on how the October 18, 2023, expiration of sanctions and other restrictions under Annex B of United Nations Security Council Resolution 2231 (2015) have or have not increased cooperation between Iran and the Russian Federation or Iran and the People's Republic of China relating to transactions previously restricted under that resolution.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this section, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 1727. UNMANNED AERIAL SYSTEM DEFINED.

In this subtitle, the term ''unmanned aerial system''—

(1) means an aircraft without a human pilot onboard that is controlled by an operator remotely or programmed to fly autonomously; and

(2) includes—

(A) unmanned vehicles that conduct intelligence, surveillance, or reconnaissance operations;

(B) unmanned vehicles that can loiter, such as suicide or kamikaze drones; and

(C) unmanned combat aerial vehicles.

Subtitle C—Expansion of Iran Sanctions Act of 1996

SEC. 1731. EXPANSION OF IRAN SANCTIONS ACT OF 1996.

(a) EXPANSION OF SANCTIONS WITH RESPECT TO WEAPONS OF MASS DESTRUCTION AND CONVENTIONAL WEAPONS.—Section 5(b)(1) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended—

(1) in the paragraph heading, by striking ''EXPORTS, TRANSFERS, AND TRANSSHIPMENTS'' and inserting ''WEAPONS OF MASS DESTRUCTION AND CONVENTIONAL WEAPONS'';

(2) in subparagraph (A), by striking ''the Iran Threat Reduction and Syria Human Rights Act of 2012'' and inserting ''the No ICBMs for Iran Act of 2024'';

(3) in subparagraph (B)—

(A) in clause (i), by striking ''would likely'' and inserting ''may'';

(B) in clause (ii)—

(i) in subclause (I)—

(I) by striking ''or develop'' and inserting ''develop, or export''; and

(II) by striking ''; or'' and inserting a semicolon;

(ii) by redesignating subclause (II) as subclause (IV); and

(iii) by inserting after subclause (I) the following:

''(II) acquire or develop ballistic missiles or ballistic missile launch technologies;

''(III) acquire or develop unmanned aerial systems (as defined in section 1727 of the No ICBMs for Iran Act of 2024); or''.

(b) SANCTIONS WITH RESPECT TO SPACE-LAUNCH AND BALLISTIC MISSILE PROGRAMS.—Section 5(b) of the Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note) is amended by adding at the end the following:

''(4) SPACE-LAUNCH AND BALLISTIC MISSILE GOODS, SERVICES, OR TECHNOLOGY.—

''(A) TRANSFER TO IRAN.—Except as provided in subsection (f), the President shall impose 5 or more of the sanctions described in section 6(a) with respect to a person if the President determines that the person, on or after the date of the enactment of the No ICBMs for Iran Act of 2024, knowingly exports, transfers, or permits or otherwise facilitates the transshipment or reexport of goods, services, technology, or other items to Iran that may support Iran's efforts to acquire, develop, or export its space-launch programs, space-launch vehicles, or ballistic missiles or ballistic missile launch technologies.

''(B) DEVELOPMENT AND SUPPORT FOR DEVELOPMENT.—Except as provided in subsection (f), the President shall impose 5 or more of the sanctions described in section 6(a) with respect to—

''(i) an agency or instrumentality of the Government of Iran if the President determines that the agency or instrumentality knowingly, on or after the date of the enactment of the No ICBMs for Iran Act of 2024, seeks to develop, procure, or acquire goods, services, or technology that may support efforts by the Government of Iran with respect to space-launch vehicle or ballistic missile-related goods, services, and items listed on the Equipment, Software, and Technology Annex of the Missile Technology Control Regime (commonly referred to as the 'MTCR Annex');

''(ii) a foreign person or an agency or instrumentality of a foreign state (as defined in section 1603(b) of title 28, United States Code) if the President determines that the person or agency or instrumentality knowingly, on or after such date of enactment, provides material support to the Government of Iran that may support efforts by the Government of Iran with respect to space-launch vehicle or ballistic missile-related goods, services, and items listed on the MTCR Annex; and

''(iii) a foreign person that the President determines knowingly, on or after such date of enactment, engages in a transaction or transactions with, or provides financial services for, a foreign person or an agency or instrumentality of a foreign state described in clause (i) or (ii) with respect to space-launch vehicle or ballistic missile-related goods, services, and items listed on the MTCR Annex.

''(C) CONGRESSIONAL REQUESTS.—Not later than 30 days after receiving a request from the chairman or ranking member of the appropriate congressional committees with respect to whether a person meets the criteria for the imposition of sanctions under subparagraph (A) or (B), the President shall—

''(i) determine if the person meets such criteria; and

''(ii) submit a report to the chairman or ranking member, as the case may be, who submitted the request with respect to that determination that includes a statement of whether or not the President imposed or intends to impose sanctions with respect to the person.''.

SA 2205. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 11___. PROHIBITION ON PAYMENT OF ANNUITY TO DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES CONVICTED OF CERTAIN OFFENSES; REPORT.

(a) IN GENERAL.—Subchapter II of chapter 83 of title 5, United States Code, is amended by inserting after section 8312 the following new section:

"§ 8312a. Conviction of Department of Defense civilian employees of certain offenses

''(a) IN GENERAL.—An individual, or a survivor or beneficiary of an individual, may not be paid annuity on the basis of the service of the individual as a civilian employee of the Department of Defense which is creditable toward the annuity if—

''(1) the individual was convicted of any offense against the Department of Defense under chapter 11 (relating to bribery, graft, and conflicts of interest), chapter 31 (relating to embezzlement and theft), or chapter 47 (relating to fraud) of title 18;

''(2) the offense involved an amount of not less than $10,000; and

''(3) the unlawful act that is the basis for the conviction was committed—

''(A) on or after the date of enactment of this section, including conduct that continued on or after such date; and

''(B) in connection with the individual's service.

''(b) CERTIFICATION.—For a case described in subsection (a), the Attorney General, in coordination with the Secretary of Defense, shall certify to the agency paying the annuity of the individual concerned that—

''(1) the individual was convicted as described in such subsection and payment of annuity is barred; and

''(2) the due process rights of the individual were upheld during the proceeding that resulted in the conviction.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 83 of such title is amended by inserting after the item relating to section 8312 the following new item:

''8312a. Conviction of Department of Defense civilian employees of certain offenses.''.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report outlining the feasibility and advisability of applying section 8312a of title 5, United States Code, as added by subsection (a), to all civilian employees of the Federal Government.

SA 2206. Mrs. CAPITO (for herself, Mr. BOOKER, Mr. CORNYN, Mr. WELCH, Mr. CRAMER, and Mr. DURBIN) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SECOND CHANCE REAUTHORIZATION ACT OF 2024.

(a) STATE AND LOCAL REENTRY DEMONSTRATION PROJECTS.—Section 2976 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631) is amended—

(1) in subsection (b)—

(A) in paragraph (7), by striking ''and'' at the end;

(B) in paragraph (8), by striking the period at the end; and

(C) by adding at the end the following:

''(9) treating substance use disorders, including by providing peer recovery services, case management, and access to overdose education and overdose reversal medications; and

''(10) providing reentry housing services.''; and

(2) in subsection (o)(1), by striking ''2019 through 2023'' and inserting ''2025 through 2029''.

(b) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT.—Section 2926(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10595a(a)) is amended by striking ''2019 through 2023'' and inserting ''2025 through 2029''.

(c) GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.—Section 1001(a)(28) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)(28)) is amended by striking ''2019, 2020, 2021, 2022, and 2023'' and inserting ''2025 through 2029''.

(d) CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115(f) of the Second Chance Act of 2007 (34 U.S.C. 60511(f)) is amended by striking ''2019, 2020, 2021, 2022, and 2023'' and inserting ''2025 through 2029''.

(e) OFFENDER REENTRY SUBSTANCE ABUSE AND CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section 201(f)(1) of the Second Chance Act of 2007 (34 U.S.C. 60521(f)(1)) is amended by striking ''2019 through 2023'' and inserting ''2025 through 2029''.

(f) COMMUNITY-BASED MENTORING AND TRANSITIONAL SERVICE GRANTS TO NONPROFIT ORGANIZATIONS.—Section 211(f) of the Second Chance Act of 2007 (34 U.S.C. 60531(f)) is amended by striking ''2019 through 2023'' and inserting ''2025 through 2029''.

SA 2207. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE LOST CREW MEMBERS OF THE U.S.S. FRANK E. EVANS KILLED ON JUNE 3, 1969.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall authorize the inclusion on the Vietnam Veterans Memorial Wall in the District of Columbia of the names of the 74 crew members of the U.S.S. Frank E. Evans in service who were killed on June 3, 1969.

(b) REQUIRED CONSULTATION.—The Secretary of Defense shall consult with the Secretary of the Interior, the American Battlefield Monuments Commission, and other applicable authorities with respect to any adjustments to the nomenclature and placement of names pursuant to subsection (a) to address any space limitations on the placement of additional names on the Vietnam Veterans Memorial Wall.

SA 2208. Mr. SCHUMER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. STUDY AND REPORT ON DEPARTMENT OF DEFENSE USE OF CHINESE-MADE UNMANNED GROUND VEHICLE SYSTEMS AND PROHIBITION ON DEPARTMENT OF DEFENSE PROCUREMENT AND OPERATION OF SUCH SYSTEMS.

(a) STUDY AND REPORT ON USE IN DEPARTMENT OF DEFENSE SYSTEMS OF CHINESE-MADE UNMANNED GROUND VEHICLE SYSTEMS AND COMPONENTS.—

(1) STUDY AND REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) conduct a study on the use in Department of Defense systems of covered unmanned ground vehicle systems and critical electronic components of such systems relating to the collection and transmission of sensitive information, made by covered foreign entities; and

(B) submit to the congressional defense committees a report on the findings of the Secretary with respect to the study conducted pursuant to subparagraph (A).

(2) ELEMENTS.—The study conducted pursuant to paragraph (1)(A) shall cover the following:

(A) The extent to which covered unmanned ground vehicle systems and critical electronic components of such systems made by covered foreign entities are used by the Department.

(B) The extent to which such systems and critical electronic components are used by contractors of the Departments.

(C) The nature of the use described in subparagraph (B).

(D) An assessment of the national security threats associated with using such systems and components in health care, critical infrastructure, and emergency applications of the Department. Such assessment shall cover concerns relating to the following:

(i) Cybersecurity.

(ii) Autonomous decision making.

(iii) Technological maturity of the systems and components.

(iv) Technological vulnerabilities in the systems and components that may be exploited by foreign adversaries of the United States.

(E) Actions taken by the Department to identify and list covered foreign entities that—

(i) develop or manufacture covered unmanned ground vehicle systems or components of such systems; and

(ii) have a military-civil nexus on the list maintained by the Department under section 1260H(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

(F) The feasibility and advisability of directing the Defense Innovation Unit to develop a list of United States manufacturers of covered unmanned ground vehicle systems and components of such systems.

(G) Such other matters as the Secretary considers appropriate.

(b) PROHIBITION ON PROCUREMENT AND OPERATION BY DEPARTMENT OF DEFENSE OF COVERED UNMANNED GROUND VEHICLE SYSTEMS FROM COVERED FOREIGN ENTITIES.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense may not procure or operate any covered unmanned ground vehicle system that—

(i) is manufactured or assembled by a covered foreign entity; or

(ii) includes a critical electronic component of the system relating to the collection and transmission of sensitive information, that is manufactured or assembled by a covered foreign entity.

(B) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under subparagraph (A) with respect to the operation of covered unmanned ground vehicles systems applies to any such system that is being used by the Department of Defense through the method of contracting for the services of such systems.

(2) EXCEPTION.—The Secretary of Defense is exempt from any restrictions under subsection (a) in a case in which the Secretary determines that the procurement or operation—

(A) is required in the national interest of the United States; and

(B) is for the sole purposes of—

(i) research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or the development of unmanned ground vehicle system or counter-unmanned ground vehicle system technology; or

(ii) conducting counterterrorism or counterintelligence activities, protective missions, Federal criminal or national security investigations (including forensic examinations), electronic warfare, information warfare operations, cybersecurity activities, or the development of unmanned ground vehicle system or counter-unmanned ground vehicle system technology.

(c) DEFINITIONS.—In this section:

(1) COVERED FOREIGN COUNTRY.—The term ''covered foreign country'' means any of the following:

(A) the People's Republic of China.

(B) The Russian Federation.

(C) The Islamic Republic of Iran.

(D) The Democratic People's Republic of Korea

(2) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity that is domiciled in a covered foreign country or subject to influence or control by the government of a covered foreign country, as determined by the Secretary of Defense.

(3) COVERED UNMANNED GROUND VEHICLE SYSTEM.—The term ''covered unmanned ground vehicle system''—

(A) means a mechanical device that—

(i) is capable of locomotion, navigation, or movement on the ground; and

(ii) operates at a distance from one or more operators or supervisors based on commands or in response to sensor data, or through any combination thereof; and

(B) includes—

(i) remote surveillance vehicles, autonomous patrol technologies, mobile robotics, and humanoid robots; and

(ii) the vehicle, its payload, and any external devised used to control the vehicle.

(4) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

SA 2209. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXTENSION OF FENTANYL SANCTIONS ACT.

(a) IN GENERAL.—Section 7234 of the Fentanyl Sanctions Act (21 U.S.C. 2334) is amended by striking ''7 years'' and inserting ''14 years''.

(b) BRIEFINGS ON IMPLEMENTATION.—Section 7216 of the Fentanyl Sanctions Act (21 U.S.C. 2316) is amended by striking ''5 years'' and inserting ''10 years''.

(c) TECHNICAL CORRECTION.—The table of contents at the beginning of title LXXII of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by inserting after the item relating to section 7213 the following new item:

''Sec. 7213A. Designation of transactions of sanctioned persons as of primary money laundering concern.''.

SA 2210. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle G—Israel Security Assistance Support Act

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Israel Security Assistance Support Act''.

SEC. 1292. FINDINGS.

Congress finds the following:

(1) On October 7, 2023, Hamas terrorists launched a massive, unprovoked war on Israel, killing over 1,200 innocent people and taking over 240 hostages, including United States citizens.

(2) Since October 7, 2023, Israel has faced attacks by Iran and its proxies, including Hezbollah, Hamas, and the Houthis, which have required significant military responses.

(3) Under the terms of a 2016 Memorandum of Understanding, the United States provides Israel with $3,800,000,000 per year in security assistance and missile defense funding from fiscal years 2019 through 2028, which is subject to the approval of Congress.

(4) Thus far in fiscal year 2024, Congress has enacted regular and supplemental legislation appropriating $12,500,000,000 in security assistance and missile defense for Israel without any additional conditions.

(5) Congress plays a vital role in oversight and approval of direct commercial sales and foreign military sales to security partners around the world, including Israel.

(6) In May 2024, it was reported that President Biden ordered a pause on certain defense articles ready for imminent delivery to Israel, without having consulted with Congress.

(7) On May 8, 2024, President Biden stated, regarding Israel, ''We're not going to supply the weapons and artillery shells''.

SEC. 1293. SENSE OF CONGRESS.

It is the sense of Congress that Congress—

(1) condemns the Biden Administration's decision to pause certain arms transfers to Israel as Israel faces unprecedented threats from Iran and its proxies, including Hezbollah, Hamas, and the Houthis;

(2) calls on the Biden Administration to allow all previously approved arms transfers to Israel to proceed quickly to ensure that Israel can defend itself and defeat threats from Iran and its proxies, including Hezbollah, Hamas, and the Houthis;

(3) calls on the Biden Administration to utilize all congressionally appropriated funds for security assistance for Israel as Congress intended;

(4) stands with Israel as it defends itself against the barbaric war launched by Hamas and other terrorists; and

(5) reaffirms Israel's right to self-defense.

SEC. 1294. PROHIBITION.

None of the funds appropriated or otherwise made available under any Act appropriating funds for the Department of Defense or the Department of State for fiscal year 2025 or any prior years may be made available—

(1) to withhold, halt, reverse, or cancel the delivery of defense articles or defense services from the United States to Israel; or

(2) to pay the salary or expenses of any officer or employee of the Department of Defense or the Department of State who takes any action to support or further the withholding, halting, reversal, or cancellation of the delivery of such defense articles or services.

SEC. 1295. PROMPT DELIVERY.

(a) PROMPT DELIVERY OF DEFENSE ARTICLES AND SERVICES.—The Secretary of Defense, in coordination with the Secretary of State, shall ensure prompt delivery of all defense articles and services for Israel that are expected to be delivered in fiscal years 2024 and 2025, including—

(1) those contracted through the Foreign Military Sales system;

(2) those supported by prior Acts making appropriations for the Department of Defense; and

(3) those provided pursuant to a declaration in section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)).

(b) PROMPT DELIVERY OF DIRECT COMMERCIAL SALES.—The Secretary of State shall ensure prompt approval and delivery of all direct commercial sales of defense articles and services for Israel that are expected to be delivered in fiscal years 2024 and 2025, including those for the Ministry of Public Security.

(c) PROMPT DELIVERY OF WITHHELD ITEMS.—Any defense article and defense service described in subsection (a) or (b) of this section that were withheld from delivery as of the date of the enactment of this Act shall be delivered to Israel not later than 15 days after the date of the enactment of this Act.

SEC. 1296. WITHHOLDING OF FUNDS.

(a) WITHHOLDING OF DEPARTMENT OF DEFENSE FUNDS.—None of the unobligated balances of funds made available by prior Acts making appropriations for the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'' for the immediate Office of the Secretary of Defense that are available as of the date of the enactment of this Act may be obligated or expended until the Secretary of Defense certifies and reports to the Committee on Appropriations of the House of Representatives and the Senate that the requirements of section 1295(c) have been met.

(b) WITHHOLDING OF DEPARTMENT OF STATE FUNDS.—None of the unobligated balances of funds made available by prior Acts making appropriations for the Department of State, Foreign Operations, and Related Programs under the heading ''Diplomatic Programs'' for the Office of the Secretary that are available as of the date of the enactment of this Act may be obligated or expended until the Secretary of State certifies and reports to the Committee on Appropriations of the House of Representatives and the Senate that the requirements of section 1295(c) have been met.

(c) WITHHOLDING OF FINANCIAL SERVICES AND GENERAL GOVERNMENT FUNDS.—None of

the unobligated balances of funds made available by prior Acts making appropriations for Financial Services and General Government under the heading ''Executive Office of the President and Funds Appropriated To the President—National Security Council and Homeland Security Council'' that are available as of the date of the enactment of this Act may be obligated or expended until the President certifies and reports to the Committee on Appropriations of the House of Representatives and the Senate that the requirements of section 1295(c) have been met.

SEC. 1297. OBLIGATION REQUIREMENT.

Notwithstanding any other provision of law, the Secretary of Defense and the Secretary of State shall obligate any remaining unobligated balances of funds appropriated or otherwise made available for assistance for Israel not later than 30 days after the date of the enactment of this Act.

SEC. 1298. REPORTS.

(a) INSPECTOR GENERAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Inspectors General of the Department of Defense and the Department of State shall jointly submit to Congress a report on any actions taken by executive branch officials before the date of the enactment of this Act to withhold, halt, reverse, or cancel the delivery of defense articles and defense services to Israel.

(b) MONTHLY SECURITY ASSISTANCE REPORT.—Not later than 30 days after the date of the enactment of this Act, and every 30 days thereafter through fiscal year 2025, the Secretary of Defense, in coordination with the Secretary of State, shall provide a written report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate describing United States security assistance provided to Israel since October 7, 2023, including a comprehensive list of the defense articles and services provided to Israel and the associated authority and funding used to provide such articles and services: *Provided*, That such report shall be submitted in unclassified form, but may be accompanied by a classified annex.

(c) REPORT ON PRIORITY DEFENSE ARTICLES AND SERVICES.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall provide a written report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate describing urgent and high priority defense articles and defense services for Israel and steps taken or planned to expedite the delivery of such articles and services.

SA 2211. Mr. COTTON submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1291. ILLEGITIMATE COURT COUNTER ACTION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Illegitimate Court Counteraction Act''.

(b) FINDINGS.—Congress finds the following:

(1) The United States and Israel are not parties to the Rome Statute or members of the International Criminal Court, and therefore the International Criminal Court has no legitimacy or jurisdiction over the United States or Israel.

(2) On May 20, 2024, the Prosecutor of the International Criminal Court, Karim Khan, announced arrest warrant applications for Israeli Prime Minister Benjamin Netanyahu and Minister of Defense Yoav Gallant and should be condemned in the strongest possible terms.

(3) The bipartisan American Servicemembers' Protection Act (22 U.S.C. 7421 et seq.) was enacted in 2002 to protect United States military personnel, United States officials, and officials and military personnel of certain allied countries against criminal prosecution by an international criminal court to which the United States is not party, stating, ''In addition to exposing members of the Armed Forces of the United States to the risk of international criminal prosecution, the Rome Statute creates a risk that the President and other senior elected and appointed officials of the United States Government may be prosecuted by the International Criminal Court.''.

(4) The International Criminal Court's actions against Israel are illegitimate and baseless, including the preliminary examination and investigation of Israel and applications for arrest warrants against Israeli officials, which create a damaging precedent that threatens the United States, Israel, and all United States partners who have not submitted to the International Criminal Court's jurisdiction.

(5) The United States must oppose any action by the International Criminal Court against the United States, Israel, or any other ally of the United States that has not consented to International Criminal Court jurisdiction or is not a state party to the Rome Statute.

(c) SANCTIONS WITH RESPECT TO THE INTERNATIONAL CRIMINAL COURT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and on an ongoing basis thereafter, if the International Criminal Court is engaging in any attempt to investigate, arrest, detain, or prosecute any protected person, the President shall impose—

(A) the sanctions described in paragraph (2) with respect to any foreign person the President determines—

(i) has directly engaged in or otherwise aided any effort by the International Criminal Court to investigate, arrest, detain, or prosecute a protected person;

(ii) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of any effort by the International Criminal Court to investigate, arrest, detain, or prosecute a protected person; or

(iii) is owned or controlled by, or is currently acting or purports to have acted, directly or indirectly, for or on behalf of any person that directly engages in any effort by the International Criminal Court to investigate, arrest, detain, or prosecute a protected person; and

(B) the sanctions described in paragraph (2)(B) with respect to the immediate family members of each foreign person who is subject to sanctions pursuant to subparagraph (A).

(2) SANCTIONS DESCRIBED.—The sanctions described in this paragraph with respect to a foreign person described in paragraph (1) are the following:

(A) PROPERTY BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of any foreign person described in paragraph (1)(A) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(i) VISAS, ADMISSION, OR PAROLE.—In the case of an alien described in paragraph (1), the alien is—

(I) inadmissible to the United States;

(II) ineligible to receive a visa or other documentation to enter the United States; and

(III) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The visa or other entry documentation of an alien described in subparagraph (A) shall be revoked, regardless of when such visa or other entry documentation was issued.

(II) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(aa) take effect immediately; and

(bb) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(3) IMPLEMENTATION; PENALTIES.—

(A) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(B) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(4) NOTIFICATION TO CONGRESS.—Not later than 10 days after any imposition of sanctions pursuant to paragraph (1), the President shall brief and provide written notification to the appropriate congressional committees regarding the imposition of sanctions that shall include—

(A) a description of the foreign person or persons subject to the imposition of such sanctions, including the foreign person's role at or relation to the International Criminal Court;

(B) a description of any activity undertaken by such foreign person or persons in support of efforts to investigate, arrest, detain, or prosecute any protected person; and

(C) the specific sanctions imposed on such foreign person or persons.

(5) WAIVER.—

(A) IN GENERAL.—The President may, on a case-by-case basis and for periods not to exceed 90 days each, waive the application of sanctions imposed or maintained with respect to a foreign person under this section if the President submits to the appropriate congressional committees before the waiver is to take effect a report that contains a determination of the President that the waiver is vital to the national security interests of the United States.

(B) CONTENTS.—Each report required by subparagraph (A) with respect to a waiver of the application of sanctions imposed or maintained with respect to a foreign person under this section, or the renewal of such a waiver, shall include—

(i) a specific and detailed rationale for the determination that the waiver is vital to the national security interests of the United States;

(ii) a description of the activity that resulted in the foreign person being subject to sanctions; and

(iii) a detailed description and list of actions the United States has taken to—

(I) stop the International Criminal Court from engaging in any effort to investigate, arrest, detain, or prosecute all protected persons; and

(II) permanently close, withdraw, end, or otherwise terminate any preliminary examination, investigation, or any other effort to investigate, arrest, detain, or prosecute all protected persons.

(C) FORM.—Each report required by subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

(6) SPECIAL RULE.—The President may terminate the sanctions with respect to the foreign persons described in paragraph (1) if the President certifies in writing to the appropriate congressional committees that the International Criminal Court—

(A) has ceased engaging in any effort to investigate, arrest, detain, or prosecute all protected persons; and

(B) has permanently closed, withdrawn, ended, and otherwise terminated any preliminary examination, investigation, or any other effort by the International Criminal Court to investigate, arrest, detain, or prosecute all protected persons.

(d) RESCISSION OF FUNDS FOR INTERNATIONAL CRIMINAL COURT.—

(1) IN GENERAL.—Effective on the date of the enactment of this Act, any amounts appropriated for the International Criminal Court and available for obligation as of such date of enactment are hereby rescinded.

(2) PROHIBITION ON FUTURE APPROPRIATIONS.—On and after the date of the enactment of this Act, no appropriated funds may be used for the International Criminal Court.

(e) DEFINITIONS.—In this section:

(1) ADMITTED ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) ALLY OF THE UNITED STATES.—The term ''ally of the United States'' means—

(A) a government of a member country of the North Atlantic Treaty Organization; or

(B) a government of a major non-NATO ally, as that term is defined by section 2013(7) of the American Service-Members' Protection Act (22 U.S.C. 7432(7)).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives.

(4) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(5) IMMEDIATE FAMILY MEMBER.—The term ''immediate family member'', with respect to a foreign person, means the spouse, parent, sibling, or adult child of the person.

(6) INTERNATIONAL CRIMINAL COURT; ROME STATUTE.—The terms ''International Criminal Court'' and ''Rome Statute'' have the meaning given those terms in section 2013 of the American Service-Members' Protection Act (22 U.S.C. 7432).

(7) PROTECTED PERSON.—The term ''protected person'' means—

(A) any United States person, unless the United States provides formal consent to International Criminal Court jurisdiction and is a state party to the Rome Statute of the International Criminal Court, including—

(i) current or former members of the Armed Forces of the United States;

(ii) current or former elected or appointed officials of the United States Government; and

(iii) any other person currently or formerly employed by or working on behalf of the United States Government; and

(B) any foreign person that is a citizen or lawful resident of an ally of the United States that has not consented to International Criminal Court jurisdiction or is not a state party to the Rome Statute of the International Criminal Court, including—

(i) current or former members of the Armed Forces of such ally of the United States;

(ii) current or former elected or appointed government officials of such ally of the United States; and

(iii) any other person currently or formerly employed by or working on behalf of such a government.

(8) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SA 2212. Mr. COONS (for himself, Ms. MURKOWSKI, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. EXTENSION OF INCREASED DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSES OF VETERANS WHO DIE FROM AMYOTROPHIC LATERAL SCLEROSIS.

(a) EXTENSION.—Section 1311(a)(2) of title 38, United States Code, is amended—

(1) by inserting ''(A)'' before ''The rate''; and

(2) by adding at the end the following new subparagraph:

''(B) A veteran whom the Secretary determines died from amyotrophic lateral sclerosis shall be treated as a veteran described in subparagraph (A) without regard for how long the veteran had such disease prior to death.''.

(b) APPLICABILITY.—Subparagraph (B) of section 1311(a)(2) of title 38, United States Code, as added by subsection (a), shall apply to a veteran who dies from amyotrophic lateral sclerosis on or after October 1, 2024.

SA 2213. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. ___. CONSUMER PRODUCT SAFETY STANDARD FOR CERTAIN BATTERIES.

(a) CONSUMER PRODUCT SAFETY STANDARD REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Consumer Product Safety Commission shall promulgate, under section 553 of title 5, United States Code, a final consumer product safety standard for rechargeable lithium-ion batteries used in micromobility devices, including electric bicycles and electric scooters, to protect against the risk of fires caused by such batteries.

(2) INCLUSION OF RELATED EQUIPMENT.—The standard promulgated under paragraph (1) shall include requirements with respect to equipment related to or used with rechargeable lithium-ion batteries used in micromobility devices, including battery chargers, charging cables, external terminals on battery packs, external terminals on micromobility devices, and free-standing stations used for recharging.

(b) CPSC DETERMINATION OF SCOPE.—In promulgating the standard under subsection (a), the Commission shall determine the types of products subject to the standard and shall ensure that such products are—

(1) within the jurisdiction of the Commission; and

(2) reasonably necessary to include to protect against the risk of fires.

(c) MODIFICATIONS.—At any time after the promulgation of the standard under subsection (a), the Commission may, through a rulemaking under section 553 of title 5, United States Code, modify the requirements of the standard.

(d) TREATMENT OF STANDARD.—A standard promulgated under this section, including a modification of such standard, shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

SA 2214. Mr. MURPHY (for himself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. SINGLE, UNIQUE ZIP CODE FOR SCOTLAND, CONNECTICUT.

Not later than 180 days after the date of enactment of this Act, the United States Postal Service shall designate a single, unique ZIP Code, to be numbered 06264, applicable to the area encompassing solely Scotland, Connecticut.

SA 2215. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. LARGE AND MEDIUM FIXED-WING UNMANNED AIRCRAFT AND UNMANNED AIRCRAFT SYSTEM PILOT PROGRAM.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary shall, in coordination with the Administrator of the Federal Aviation Administration, carry out a pilot program to assess the feasibility and advisability of conducting flights of large and medium unmanned aircraft and unmanned aircraft systems in high- or medium-density complex airspace environments.

(b) LOCATIONS.—

(1) IN GENERAL.—The Secretary shall carry out a pilot program under subsection (a) in the United States.

(2) AIRPORTS.—In carrying out the pilot program required by subsection (a), the Secretary may select 5 airports from which unmanned aircraft and unmanned aircraft systems participating in the pilot program may depart, arrive, and be housed, of which one airport shall be an airport that is collocated with—

(A) an existing U.S. Border Patrol sector headquarters;

(B) an Air and Marine Operations branch; and

(C) a Coast Guard air station.

(c) TESTING.—In carrying out the pilot program required by subsection (a), the Secretary shall test large and medium unmanned aircraft and unmanned aircraft systems operations and advanced air mobility airspace integration, flight verification, and validation.

(d) USE OF AIRCRAFT.—In carrying out the pilot program required by subsection (a), the Secretary may use large and medium unmanned aircraft and unmanned aircraft systems procured by the Department of Defense.

(e) COORDINATION WITH OTHER AGENCY HEADS.—In carrying out the pilot program required by subsection (a), the Secretary may coordinate with the heads of other Executive agencies to conduct joint large and medium unmanned aircraft and unmanned aircraft system operations using the unmanned aircraft and unmanned aircraft systems and facilities of the respective Executive agency at the pilot program locations selected by the Secretary for purposes of the pilot program, subject to the approval of those heads of other Executive agencies.

(f) ANNUAL BRIEFING.—Not later than one year after the date of the enactment of this Act, and annually thereafter for 4 years, the Secretary and the Administrator of the Federal Aviation Administration shall jointly provide a briefing to the appropriate committees of Congress on the activities carried out under this section.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the existing authorities of the Administrator of the Federal Aviation Administration related to unmanned aircraft system integration or the safety and efficiency of the national airspace system.

(h) TERMINATION.— The requirement to carry out the pilot program authorized by subsection (a) shall terminate 6 years after the date of the enactment of this Act.

(i) DEFINITIONS.—In this section:

(1) The term ''advanced air mobility'' has the meaning given the term in section 2(i) of the Advanced Air Mobility Coordination and Leadership Act (Public Law 117–203; 49 U.S.C. 40101 note).

(2) The term ''airport'' has the meaning given the term in section 47102 of title 49, United Sates Code.

(3) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives.

(4) The term ''congressional defense committees'' has the meaning given the term in section 101(a) of title 10, United States Code.

(5) The term ''Department'' means the Department of Defense.

(6) The term ''Secretary'' means the Secretary of Defense.

(7) The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 44801 of title 49, United States Code.

SA 2216. Mr. CARDIN (for himself, Mr. BOOZMAN, Ms. ROSEN, Mr. CRUZ, Mr. PETERS, Mr. SCOTT of Florida, Mr. MERKLEY, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. FHA INFORMED CONSUMER CHOICE DISCLOSURE.

(a) INCLUSION OF INFORMATION RELATING TO VA LOANS.—Section 203(f)(2)(A) of the National Housing Act (12 U.S.C. 1709(f)(2)(A)) is amended—

(1) by inserting ''(i)'' after ''loan-to-value ratio''; and

(2) by inserting before the semicolon the following: '', and (ii) in connection with a loan guaranteed or insured under chapter 37 of title 38, United States Code, assuming prevailing interest rates''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed to require an original lender to determine whether a prospective borrower is eligible for any loan included in the notice required under section 203(f) of the National Housing Act (12 U.S.C. 1709(f)).

SA 2217. Mr. REED (for himself and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. CLARIFYING AMENDMENT TO ARTICLE 2 OF THE UNIFORM CODE OF MILITARY JUSTICE.

Section 802(a)(14) of title 10, United States Code (article 2(a)(14) of the Uniform Code of Military Justice), is amended by inserting ''20601 or'' before ''20603''.

SA 2218. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. LIMITATION ON MODIFICATION OF RATE OF PAYMENT OR REIMBURSEMENT FOR TRANSPORTATION OF VETERANS OR OTHER INDIVIDUALS VIA SPECIAL MODES OF TRANSPORTATION.

(a) IN GENERAL.—Except as provided in subsection (b), no funds appropriated by this Act may be used to modify the rate of payment or reimbursement for transportation of a veteran or other individual via a special mode of transportation under the laws administered by the Secretary of Veterans Affairs as of January 1, 2024.

(b) EXCEPTIONS.—

(1) INCREASE OF RATE.—The Secretary may use funds appropriated by this Act to modify the rate of payment or reimbursement for transportation of a veteran or other individual via a special mode of transportation under the laws administered by the Secretary if such a change would increase such rate of payment or reimbursement.

(2) DECREASE OF RATE.—

(A) REVIEW AND DEVELOPMENT OF PROCESS.—The Secretary may use funds appropriated by this Act to decrease the rate of payment or reimbursement for transportation of a veteran or other individual via a special mode of transportation under the laws administered by the Secretary if the following requirements are met before the effective date of such decrease:

(i) The Secretary conducts a thorough review and analysis of such decrease with respect to the following:

(I) The economic impact of such decrease on the Department.

(II) The economic impact of such decrease on the appropriate industry associated with the special mode of transportation or special modes of transportation in question.

(III) The impact of such decrease on access to care for veterans.

(ii) The Secretary develops a formal process for updating such rate of payment or reimbursement that would protect or expand the current level of access reviewed and analyzed under clause (i)(III).

(iii) The Secretary conducts the review and analysis under clause (i) and develops the process under clause (ii) in consultation with a committee comprised of representation from the following:

(I) Relevant industry experts.

(II) The Centers for Medicare & Medicaid Services.

(III) Appropriate subject matter experts of the Department of Veterans Affairs in the areas of transportation, access to care, integrated veteran care, rural veterans, native veterans, and any other areas as determined appropriate by the Secretary.

(IV) Veterans service organizations.

(iv) The Secretary confirms that the new rate reflects, at a minimum, the actual costs of transportation.

(B) ADDITIONAL REQUIREMENTS BEFORE RATE DECREASE.—If a decrease permitted under subparagraph (A) to the rate of payment or reimbursement for transportation of a veteran or other individual via a special mode of transportation under the laws administered by the Secretary would allow for the establishment of a contracted rate different from the established rate of the Department, not later than two years before the effective date of such change, the Secretary shall—

(i) establish a template and standardized process for such contracts and submit such template and standardized process to Congress for feedback; and

(ii) issue guidance regarding such template and standardized process across appropriate entities within the Department and across the industry associated with the special mode of transportation or special modes of transportation covered by such contract.

(c) DEFINITIONS.—In this section:

(1) SPECIAL MODE OF TRANSPORTATION.—The term ''special mode of transportation'' has the meaning given that term in section 70.2 of title 38, Code of Federal Regulations, or successor regulations.

(2) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

SA 2219. Mr. TESTER (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. DEPARTMENT OF VETERANS AFFAIRS PERSONNEL TRANSPARENCY.

(a) IN GENERAL.—Section 505 of the John S. McCain III, Daniel K. Akaka, and Samuel R. Johnson VA Maintaining Internal Systems and Strengthening Integrated Outside Networks Act of 2018 (Public Law 115–182; 38 U.S.C. 301 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), by striking ''information,'' and all that follows through ''facility:'' and inserting ''information:'';

(ii) in subparagraph (B)—

(I) by inserting ''(i)'' before ''The number''; and

(II) by adding at the end the following new clause:

''(ii) All historical data under this subparagraph shall be updated at each quarterly reporting under paragraph (3) to account for delays in data processing and to reflect the most recently available data.'';

(iii) in subparagraph (C), by striking ''vacancies, by occupation.'' and inserting ''positions currently undergoing a recruitment action, disaggregated by occupation and by stage of recruitment, including Manager Request Initiation Stage, recruitment stage, onboarding stage, and waiting to start stage, or successor stages if modified.'';

(iv) in subparagraph (E)(iii), by striking ''potential hires or''; and

(v) by adding at the end the following new subparagraph:

''(F) The number of positions vacated during the quarter for which the Department has not initiated a recruitment action, including the date the position was vacated, disaggregated by occupation, with quarterly updates reflecting the most recently available data to account for delays in data processing.'';

(B) by redesignating paragraph (5) as paragraph (6);

(C) by inserting after paragraph (4) the following new paragraph (5):

''(5) DISPLAY OF INFORMATION.—The display of information made publicly available on an Internet website of the Department pursuant to paragraph (1), shall be disaggregated—

''(A) by departmental component;

''(B) in the case of information relating to Veterans Health Administration positions, by medical facility;

''(C) in the case of information relating to Veterans Benefits Administration positions, by regional office;

''(D) in the case of information relating to the National Cemetery Administration, by location; and

''(E) in the case of information relating to the Board of Veterans Appeals, separately from data relating to the Veterans Health Administration, the Veterans Benefits Administration, and the National Cemetery Administration.''; and

(D) in paragraph (6), as redesignated by subparagraph (B), by striking ''shall'' and all that follows and inserting ''shall—

''(A) review the administration of the website required under paragraph (1);

''(B) develop recommendations relating to the improvement of such administration; and

''(C) submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report containing—

''(i) the findings of the Inspector General with respect to the most recent review conducted under subparagraph (A); and

''(ii) the recommendations most recently developed under subparagraph (B).''; and

(2) by amending subsection (b) to read as follows:

''(b) ANNUAL REPORT.—Each year, the Secretary shall submit to Congress an annual report that includes the following:

''(1) A description of the steps the Department is taking to achieve full staffing capacity.

''(2) A description of the actions the Department is taking to improve the onboard timeline for facilities of the Department, including—

''(A) in the case of facilities of the Veterans Health Administration, for facilities for which the duration of the onboarding process exceeds the metrics laid out in the Time to Hire Model of the Veterans Health Administration, or successor model; and

''(B) in the case of Veterans Benefits Administration, for regional offices that exceed the time-to-hire target of the Office of Personnel Management.

''(3) The amount of additional funds necessary to enable the Department to reach full staffing capacity.

''(4) Such recommendations for legislative or administrative action as the Secretary may have in order to achieve full staffing capacity at the Department.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to the first update under section 505(a)(3) of such Act beginning after the date of the enactment of this Act and each update thereafter.

SA 2220. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 562. ESTABLISHMENT OF COUNSELING PATHWAY IN THE TRANSITION ASSISTANCE PROGRAM FOR MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 1142(c)(1) of title 10, United States Code, is amended, in the matter preceding subparagraph (A), by inserting ''(including one pathway for members of the reserve components)'' after ''military department concerned''.

SA 2221. Mr. TESTER (for himself and Mr. BOOZMAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. INCREASE IN AMOUNT OF DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.

(a) INCREASE.—Section 1311(a) of title 38, United States Code, is amended in paragraph (1), by striking ''of $1,154'' and inserting ''equal to 55 percent of the rate of monthly compensation in effect under section 1114(j) of this title''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided by paragraph (2), the amendments made by subsection (a) shall apply with respect to compensation paid under chapter 13 of title 38, United States Code, for months beginning after the date that is six months after the date of the enactment of this Act.

(2) SPECIAL RULE FOR CERTAIN INDIVIDUALS.—

(A) IN GENERAL.—For months beginning after the date that is six months after the date of the enactment of this Act, the Secretary of Veterans Affairs shall pay to an individual described in subparagraph (B) dependents and survivors income security benefit under section 1311 of title 38, United States Code, in the monthly amount that is the greater of the following:

(i) The amount determined under subsection (a)(3) of such section 1311, as in effect on the day before the date of the enactment of this Act.

(ii) The amount determined under subsection (a)(1) of such section 1311, as amended by subsection (a).

(B) INDIVIDUALS DESCRIBED.—An individual described in this subparagraph is an individual eligible for dependents and survivors income security benefit under section 1311 of title 38, United States Code, that is predicated on the death of a veteran before January 1, 1993.

SEC. _____. MODIFICATION OF REQUIREMENTS FOR DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVORS OF CERTAIN VETERANS RATED TOTALLY DISABLED AT TIME OF DEATH.

Section 1318 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''The Secretary'' and inserting ''(1) Except as provided in paragraph (2), the Secretary''; and

(B) by adding at the end the following new paragraph:

''(2) In any case in which the Secretary makes a payment under paragraph (1) of this subsection by reason of subsection (b)(1) and the period of continuous rating immediately preceding death is less than 10 years, the

amount payable under paragraph (1) of this subsection shall be an amount that bears the same relationship to the amount otherwise payable under such paragraph as the duration of such period bears to 10 years.''; and

(2) in subsection (b)(1), by striking ''10 or more years'' and inserting ''five or more years''.

SA 2222. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. TECHNICAL CORRECTION TO ELIGIBILITY FOR COUNSELING AND TREATMENT FOR MILITARY SEXUAL TRAUMA TO INCLUDE ALL FORMER MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 1720D of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''a physical assault of a sexual nature'' and all that follows through the period at the end and inserting ''military sexual trauma.''; and

(B) in paragraph (2)(A), by striking ''that was suffered by the member while serving on duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10)''; and

(2) by striking subsections (f) and (g) and inserting the following new subsection (f):

''(f) In this section:

''(1) The term 'former member of the Armed Forces' means a person who served on active duty, active duty for training, or inactive duty training, and who was discharged or released therefrom under any condition that is not—

''(A) a discharge by court-martial; or

''(B) a discharge subject to a bar to benefits under section 5303 of this title.

''(2) The term 'military sexual trauma' means, with respect to a former member of the Armed Forces, a physical assault of a sexual nature, battery of a sexual nature, or sexual harassment which occurred while the former member of the Armed Forces was serving on duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10).

''(3) The term 'sexual harassment' means unsolicited verbal or physical contact of a sexual nature which is threatening in character.''.

SA 2223. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VIII, add the following:

SEC. 855. MODIFICATION TO INTERAGENCY REVIEWS OF MEMORANDA OF UNDERSTANDING.

Section 4851(b) of title 10, United States Code, is amended—

(1) by striking ''may request'' and inserting ''shall request''; and

(2) by adding at the end the following: ''The Secretary shall request periodic interagency reviews of memoranda of understanding or related agreements to ensure that each such memorandum or agreement in effect is reviewed not less frequently than once every five years.''.

SA 2224. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2823. REPORT ON PLAN TO REPLACE HOUSES AT FORT LEONARD WOOD, MISSOURI.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress an unclassified report on the plan of the Army to replace all 1,142 houses at Fort Leonard Wood that the Army has designated as being in need of repair.

SA 2225. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 598A(a), in the matter proposed to be inserted as subsection (a) of section 3 of the Military Selective Service Act, strike ''citizen of the United States, and every other person'' and insert ''male citizen of the United States, and every other male person''.

SA 2226. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle F—Time to Choose Act of 2024

SEC. 894. SHORT TITLE.

This subtitle may be cited as the ''Time to Choose Act of 2024''.

SEC. 895. FINDINGS.

Congress makes the following findings:

(1) The Department of Defense and other agencies in the United States Government regularly award contracts to firms that are simultaneously providing consulting services to foreign governments and proxies or affiliates thereof.

(2) The provision of such consulting services to covered foreign entities may support efforts by certain foreign governments to generate economic and military power that they can then use to undermine the economic and national security of the American people.

(3) It is a conflict of interest for consulting firms to simultaneously aid in the efforts of certain foreign governments to undermine the economic and national security of the United States while they are simultaneously contracting with Federal agencies responsible for protecting and defending the United States from foreign threats.

(4) Firms should be prevented from engaging in such a conflict of interest and should instead be required to choose between aiding the efforts of certain foreign governments or helping the United States Government to support and defend its citizens.

SEC. 896. PROHIBITION ON FEDERAL CONTRACTING WITH ENTITIES THAT ARE SIMULTANEOUSLY AIDING IN THE EFFORTS OF COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—In order to end conflicts of interest in Federal contracting among consulting firms that simultaneously contract with the United States Government and covered foreign entities, the Federal Acquisition Regulatory Council shall, not later than 1 year after the date of the enactment of this Act, amend the Federal Acquisition Regulation—

(1) to require any entity that makes an offer or quotation to provide consulting services to an executive agency, including services described in the North American Industry Classification System's Industry Group code 5416, prior to entering into a Federal contract, to certify that neither it nor any of its subsidiaries or affiliates hold a consulting contract with one or more covered foreign entities; and

(2) to prohibit Federal contracts for consulting services from being awarded to an entity that provides consulting services, including services described under the North American Industry Classification System's Industry Group code 5416 if the entity or any of its subsidiaries or affiliates are determined, based on the self-certification required under paragraph (1), to be a contractor of, or are otherwise providing consulting services to, a covered foreign entity.

(b) WAIVER.—

(1) IN GENERAL.—Subject to the limitations in paragraph (2), the head of an executive agency may waive the conflict of interest restrictions under this section on a case-by-case basis if—

(A) the agency head, in consultation with the Secretary of Defense and the Director of National Intelligence, determines the waiver to be in the national security interests of the United States;

(B) the agency head determines that no other entity without a conflict of interest under this section can perform the work for the Federal contract;

(C) the head of the executive agency submits to the Director of the Office of Management and Budget a notification of such waiver at least 5 days prior to issuing the waiver;

(D) the head of the executive agency submits to the appropriate congressional committees a notification of such waiver within 30 days in unclassified form (accompanied by a classified annex if necessary) and offers a briefing to those committees on the information included in the notification; and

(E) the contracting agency publishes in an easily accessible location on the agency's public website a list of the names of the covered foreign entities to which the entity receiving a waiver provides consulting services, unless the head of the applicable executive agency, with the approval of the Director of the Office of Management and Budget, and in consultation with the Secretary of Defense and Director of National Intelligence, determines that such public disclosure would directly harm the national security interests of the United States.

(2) LIMITATIONS.—

(A) DURATION.—A waiver granted under paragraph (1) shall last for a period of not more than 365 days. The head of the applicable executive agency, with the approval of the Director of the Office of Management and Budget, and in consultation with the Secretary of Defense and Director of National Intelligence, may extend a waiver granted under such paragraph one time, for a period up to 180 days after the date on which the waiver would otherwise expire, if such an extension is in the national security interests of the United States and the Director submits to the appropriate congressional committees a notification of such waiver and offers a briefing to those committees on the information included in the notification.

(B) NUMBER.—Not more than one total waiver across all executive agencies may be granted under paragraph (1) to a single entity at a given time.

(C) NOTIFICATION REQUIREMENTS.—The notification required under subparagraphs (C) and (D) of paragraph (1) shall include the following information:

(i) Information on the contractor, including—

(I) the name, address, and corporate structure of the contractor;

(II) the name, address, and corporate structure of any subsidiaries or subcontractors involved;

(III) all foreign ownership of the contractor;

(IV) all foreign real estate owned by the contractor; and

(V) an employee designated as responsible for managing any conflict of interests that may arise as part of the contract.

(ii) Information on the covered foreign entities involved to the extent known by the contractor, including—

(I) the name and address of the covered foreign entity;

(II) the name and address of any subsidiaries or subcontractors involved;

(III) a complete history of any contracts between the covered foreign entity and the contractor;

(IV) all ownership of the covered foreign entity; and

(V) any legal authorities providing a foreign government with access or control over the covered foreign entity.

(iii) Information on the nature of the work performed for the covered foreign entities, including—

(I) the projected and actual dollar value of the contract;

(II) the projected and actual duration of the contract;

(III) the projected and actual number of employees to work on the contract;

(IV) the projected and actual number of employees who are United States citizens who work on the contract;

(V) the projected and actual number of employees who currently or formerly held security clearances with the United States Government who work on the contract;

(VI) the subject matter of the contract;

(VII) any materials provided to the covered foreign entity in order to secure the contract;

(VIII) any tracking number used by the covered foreign entity to identify the contract;

(IX) any tracking number or information used by the contractor to identify the contract; and

(X) any military or intelligence applications that could benefit from the contract.

(iv) Justification of the executive agency's need for providing the waiver.

(v) An acceptable management oversight plan to ensure that the work performed for the covered foreign entities does not compromise the work being performed for the Federal Government or harm the national security of the United States, to be approved at not lower than the Deputy Secretary level at the contracting agency.

(3) CONTRACTOR REPORTING.—The executive agency granting a waiver under this subsection shall require the contractor, in the event the contractor identifies any of the following during the performance of the contract, to report the following information to the executive agency:

(A) Any human rights violations that are known to the contractor through information provided to the contractor in the course of the contract.

(B) Any religious liberty violations that are known to the contractor through information provided to the contractor in the course of the contract.

(C) Any risks to United States economic or national security identified by the contractor in the course of the contract.

SEC. 897. PENALTIES FOR FALSE INFORMATION.

(a) TERMINATION, SUSPENSION, AND DEBARMENT.—If the head of an executive agency determines that a consulting firm described in section 896(a)(1) has knowingly submitted a false certification or information on or after the date on which the Federal Acquisition Regulatory Council amends the Federal Acquisition Regulation pursuant to such section, the head of the executive agency shall terminate the contract with the consulting firm and consider suspending or debarring the firm from eligibility for future Federal contracts in accordance with subpart 9.4 of the Federal Acquisition Regulation.

(b) FALSE CLAIMS ACT.—A consulting firm described in section 896(a)(1) that, for the purposes of the False Claims Act, knowingly hides or misrepresents one or more contracts with covered foreign entities, or otherwise violates the False Claims Act, shall be subject to the penalties and corrective actions described in the False Claims Act, including liability for three times the amount of damages which the United States Government sustains.

SEC. 898. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives.

(2) CONSULTING SERVICES.—The term ''consulting services'' means advisory or assistance services similar to those defined in Federal Acquisition Regulation 2.101, but for the purposes of this Act includes services provided to covered foreign entities, except that the term does not include the provision of products or services related to—

(A) compliance with legal, audit, accounting, tax, reporting, or other requirements of the laws and standards of countries; or

(B) participation in a judicial, legal, or equitable dispute resolution proceeding.

(3) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means any of the following:

(A) The Government of the People's Republic of China, the Chinese Communist Party, the People's Liberation Army, the Ministry of State Security, or other security service or intelligence agency of the People's Republic of China.

(B) The Government of the Russian Federation or any entity sanctioned by the Secretary of the Treasury under Executive Order 13662 titled ''Blocking Property of Additional Persons Contributing to the Situation in Ukraine'' (79 Fed. Reg. 16169).

(C) The government of any country if the Secretary of State determines that such government has repeatedly provided support for acts of international terrorism pursuant to any of the following:

(i) Section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4318(c)(1)(A)).

(ii) Section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371).

(iii) Section 40 of the Arms Export Control Act (22 U.S.C. 2780).

(iv) Any other provision of law.

(D) Any entity included on any of the following lists maintained by the Department of Commerce:

(i) The Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.

(ii) The Denied Persons List as described in section 764.3(a)(2) of the Export Administration Regulations.

(iii) The Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.

(iv) The Military End User List set forth in Supplement No. 7 to part 744 of the Export Administration Regulations.

(E) Any entity identified by the Secretary of Defense pursuant to section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 50 U.S.C. 1701 note).

(F) Any entity on the Non-SDN Chinese Military-Industrial Complex Companies List (NS-CMIC List) maintained by the Office of Foreign Assets Control of the Department of the Treasury under Executive Order 14032 (86 Fed. Reg. 30145; relating to addressing the threat from securities investments that finance certain companies of the People's Republic of China), or any successor order.

(4) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term in section 133 of title 41, United States Code.

(5) FALSE CLAIMS ACT.—The term ''False Claims Act'' means sections 3729 through 3733 of title 31, United States Code.

(6) NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM'S INDUSTRY GROUP CODE 5416.—The term ''North American Industry Classification System's Industry Group code 5416'' refers to the North American Industry Classification System category that covers Management, Scientific, and Technical Consulting Services as Industry Group code 5416, including industry codes 54151, 541611, 541612, 541613, 541614, 541618, 54162, 541620, 54169, and 541690.

SEC. 899. NO ADDITIONAL FUNDING.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

SA 2227. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XXVIII, add the following:

SEC. 2823. MILITARY CONSTRUCTION PROJECTS TO REPLACE HOUSES AT FORT LEONARD WOOD, MISSOURI.

(a) IN GENERAL.—The Secretary of the Army shall conduct a military construction project or military construction projects to replace 1,142 houses at Fort Leonard Wood, Missouri.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Army $423,000,000 to carry out subsection (a).

SA 2228. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1291. CERTIFICATION AND REPORT REQUIREMENTS REGARDING PROVISION OF DEFENSE ARTICLES AND SERVICES TO UKRAINE.

(a) CERTIFICATION.—Before using appropriated funds to provide defense articles or defense services to Ukraine, the Secretary of Defense, in consultation with the Commander of the United States Indo-Pacific Command, shall certify to Congress that—

(1) such articles or services are not required by the United States Indo-Pacific Command to deter the People's Republic of China or for a denial defense along the first island chain;

(2) such articles or services are not required by the military of Taiwan to deter or deny an invasion of Taiwan by the People's Republic of China;

(3) the provision of such articles or services will not delay or otherwise detract from the timely delivery to the Department of Defense or any of the Armed Forces of defense articles required to deter the People's Republic of China or for a denial defense along the first island chain; and

(4) the provision of such articles or services will not delay or otherwise detract from the timely delivery to Taiwan of the defense articles required by the military of Taiwan to deter or deny an invasion of Taiwan by the People's Republic of China.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States Indo-Pacific Command, shall submit to Congress a report that details what defense articles and defense services Ukraine requires to defend against the invasion of Ukraine by the Russian Federation that are also required by—

(A) the United States Indo-Pacific Command to deter the People's Republic of China or for a denial defense along the first island chain; or

(B) the military of Taiwan to deter or deny an invasion of Taiwan by the People's Republic of China.

(2) FORM.—The report required by paragraph (1) may be submitted in classified form, but shall be made available to all—

(A) Senators and Members of the House of Representatives; and

(B) staff of Congress who are eligible to access the information in the report.

SA 2229. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 727, strike lines 22 through 24 and insert the following:

''(3) A list of equipment and supplies, which shall be limited to materials relating to asymmetric defense capabilities or a denial defense, and estimated quantities of such equipment and supplies, required for such stockpile.''.

On page 728, strike lines 6 through 14 and insert the following:

''(c) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

''(2) ASYMMETRIC DEFENSE CAPABILITIES.—The term 'asymmetric defense capabilities' includes, in such quantities as the Secretary of Defense determines to be necessary to achieve the purpose specified, the following:

''(A) Mobile, ground-based coastal defense cruise missiles and launchers.

''(B) Mobile, ground-based short-range and medium-range air defense systems.

''(C) Smart, self-propelled naval mines and coastal minelaying platforms.

''(D) Missile boats and fast-attack craft equipped with anti-ship and anti-landing craft missiles.

''(E) Unmanned aerial and other mobile, resilient surveillance systems to support coastal and air defense operations.

''(F) Equipment to support target location, tracking, identification, and targeting, especially at the local level, in communications degraded or denied environments.

''(G) Man-portable anti-armor weapons, mortars, and small arms for ground combat operations.

''(H) Equipment and technical assistance for the purpose of developing civil defense forces, composed of civilian volunteers and militia.

''(I) Training and equipment, including appropriate war reserves, required for Taiwan forces to independently maintain, sustain, and employ capabilities described in subparagraphs (A) through (H).

''(J) Concept development for coastal defense, air defense, decentralized command and control, civil defense, logistics, planning, and other critical military functions, with an emphasis on operations in a communications degraded or denied environment.''.

SA 2230. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1228. TERMINATION OF NORMAL TRADE RELATIONS TREATMENT FOR PRODUCTS OF IRAN.

Notwithstanding any other provision of law, on and after the date of the enactment of this Act—

(1) normal trade relations treatment shall not apply to products of Iran;

(2) the rates of duty set forth in column 2 of the Harmonized Tariff Schedule of the United States shall apply to all products of Iran; and

(3) the President may proclaim increases in duties applicable to products of Iran to rates that are higher than the rates described in paragraph (2).

SA 2231. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, add the following:

SEC. 1291. SENSE OF THE SENATE REGARDING NATO DEFENSE SPENDING.

(a) FINDINGS.—Congress makes the following findings:

(1) The North Atlantic Treaty Organization (NATO) is vital to the security of the United States and United States allies.

(2) NATO's military readiness is critical for deterring aggression and responding to threats.

(3) At the 2014 Wales Summit, NATO member states agreed to aim to spend 2 percent of their Gross Domestic Product (GDP) on defense by 2024.

(4) Many NATO member states have yet to reach this 2% threshold.

(5) The evolving security environment requires enhanced military capabilities and preparedness.

(b) SENSE OF THE SENATE.—It is the Sense of the Senate that—

(1) each NATO member state should commit above 2 percent of its GDP to defense spending;

(2) increased defense spending by all NATO members is necessary to ensure the Alliance's military readiness and ability to meet current and future security challenges;

(3) the United States should continue to encourage and support its NATO allies in meeting and exceeding the 2 percent GDP defense spending threshold;

(4) NATO's military capabilities, interoperability, and readiness should be strengthened through sustained investment by all member states; and

(5) robust defense spending by all NATO members reinforces the principle of collective defense and demonstrates the Alliance's shared commitment to mutual security.

SA 2232. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle H of title X, insert the following:

SEC. 10_____. LIMITATION ON MINERAL WITHDRAWALS AFFECTING CRITICAL MINERALS FOR DEFENSE SUPPLY CHAIN.

(a) DEFINITIONS.—In this section:

(1) CRITICAL MINERAL.—The term ''critical mineral''has the meaning given the term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(2) WITHDRAWAL.—The term ''withdrawal'' has the meaning given the term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(b) LIMITATION ON MINERAL WITHDRAWALS.—

(1) IN GENERAL.—Not later than 90 after the date of enactment of this Act, the Secretary of the Interior may not make a withdrawal

of Federal land containing critical minerals, as identified by the Director of the United States Geological Survey, if the Secretary of Defense determines that the withdrawal would result in an adverse effect on the domestic supply of critical minerals required for the defense supply chain of the United States.

(2) DETERMINATION.—In making a determination under paragraph (1), the Secretary of Defense shall consider—

(A) the current and projected domestic requirements of critical minerals for the Armed Forces;

(B) the extent to which a withdrawal would restrict exploration, development, or production of critical minerals on Federal land; and

(C) the availability of reliable alternative sources of the affected critical minerals.

SA 2233. Mr. TILLIS (for himself and Mr. BUDD) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. LUMBEE TRIBE OF NORTH CAROLINA FEDERAL RECOGNITION.

The Act of June 7, 1956 (70 Stat. 254, chapter 375), is amended—

(1) by striking section 2;

(2) in the first sentence of the first section, by striking ''That the Indians'' and inserting the following:

''SEC. 3. DESIGNATION OF LUMBEE INDIANS.

''The Indians'';

(3) in the preamble—

(A) by inserting before the first undesignated clause the following:

''SECTION 1. FINDINGS.

''Congress finds that—'';

(B) by designating the undesignated clauses as paragraphs (1) through (4), respectively, and indenting appropriately;

(C) by striking ''Whereas'' each place it appears;

(D) by striking ''and'' after the semicolon at the end of each of paragraphs (1) and (2) (as so designated); and

(E) in paragraph (4) (as so designated), by striking '': Now, therefore,'' and inserting a period;

(4) by moving the enacting clause so as to appear before section 1 (as so designated);

(5) by striking the last sentence of section 3 (as designated by paragraph (2));

(6) by inserting before section 3 (as designated by paragraph (2)) the following:

''SEC. 2. DEFINITIONS.

''In this Act:

''(1) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

''(2) TRIBE.—The term 'Tribe' means the Lumbee Tribe of North Carolina or the Lumbee Indians of North Carolina.''; and

(7) by adding at the end the following:

''SEC. 4. FEDERAL RECOGNITION.

''(a) IN GENERAL.—Federal recognition is extended to the Tribe (as designated as petitioner number 65 by the Office of Federal Acknowledgment).

''(b) APPLICABILITY OF LAWS.—All laws and regulations of the United States of general application to Indians and Indian tribes shall apply to the Tribe and its members.

''(c) PETITION FOR ACKNOWLEDGMENT.—Notwithstanding section 3, any group of Indians in Robeson and adjoining counties, North Carolina, whose members are not enrolled in the Tribe (as determined under section 5(d)) may petition under part 83 of title 25 of the Code of Federal Regulations for acknowledgment of tribal existence.

''SEC. 5. ELIGIBILITY FOR FEDERAL SERVICES.

''(a) IN GENERAL.—The Tribe and its members shall be eligible for all services and benefits provided by the Federal Government to federally recognized Indian tribes.

''(b) SERVICE AREA.—For the purpose of the delivery of Federal services and benefits described in subsection (a), those members of the Tribe residing in Robeson, Cumberland, Hoke, and Scotland counties in North Carolina shall be deemed to be residing on or near an Indian reservation.

''(c) DETERMINATION OF NEEDS.—On verification by the Secretary of a tribal roll under subsection (d), the Secretary and the Secretary of Health and Human Services shall—

''(1) develop, in consultation with the Tribe, a determination of needs to provide the services for which members of the Tribe are eligible; and

''(2) after the tribal roll is verified, each submit to Congress a written statement of those needs.

''(d) TRIBAL ROLL.—

''(1) IN GENERAL.—For purpose of the delivery of Federal services and benefits described in subsection (a), the tribal roll in effect on the date of enactment of this section shall, subject to verification by the Secretary, define the service population of the Tribe.

''(2) VERIFICATION LIMITATION AND DEADLINE.—The verification by the Secretary under paragraph (1) shall—

''(A) be limited to confirming documentary proof of compliance with the membership criteria set out in the constitution of the Tribe adopted on November 16, 2001; and

''(B) be completed not later than 2 years after the submission of a digitized roll with supporting documentary proof by the Tribe to the Secretary.

''SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.

''(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary is hereby authorized to take land into trust for the benefit of the Tribe.

''(b) TREATMENT OF CERTAIN LAND.—An application to take into trust land located within Robeson County, North Carolina, under this section shall be treated by the Secretary as an 'on reservation' trust acquisition under part 151 of title 25, Code of Federal Regulations (or a successor regulation).

''SEC. 7. JURISDICTION OF STATE OF NORTH CAROLINA.

''(a) IN GENERAL.—With respect to land located within the State of North Carolina that is owned by, or held in trust by the United States for the benefit of, the Tribe, or any dependent Indian community of the Tribe, the State of North Carolina shall exercise jurisdiction over—

''(1) all criminal offenses that are committed; and

''(2) all civil actions that arise.

''(b) TRANSFER OF JURISDICTION.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may accept on behalf of the United States, after consulting with the Attorney General of the United States, any transfer by the State of North Carolina to the United States of any portion of the jurisdiction of the State of North Carolina described in subsection (a) over Indian country occupied by the Tribe pursuant to an agreement between the Tribe and the State of North Carolina.

''(2) RESTRICTION.—A transfer of jurisdiction described in paragraph (1) may not take effect until 2 years after the effective date of the agreement described in that paragraph.

''(c) EFFECT.—Nothing in this section affects the application of section 109 of the Indian Child Welfare Act of 1978 (25 U.S.C. 1919).

''SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated such sums as are necessary to carry out this Act.''.

SA 2234. Mr. HOEVEN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 630. PROVISION OF TUITION ASSISTANCE TO MEMBERS OF AIR NATIONAL GUARD.

The Secretary of the Air Force shall establish a permanent program to pay, under section 2007 of title 10, United States Code, all or a portion of the charges of an educational institution for the tuition or expenses of a member of the Air National Guard who is in compliance with the training requirements under regulations prescribed under section 502(a) of title 32, United States Code.

SA 2235. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VII, add the following:

SEC. 750. SENSE OF SENATE ON TRUE NORTH PROGRAM OF THE AIR FORCE.

It is the sense of the Senate that—

(1) the True North program of the Department of the Air Force provides important mental health care benefits to members of the Air Force;

(2) making such program available to some members of the Air Force at particular installations without making it available to others may create a perception of disparity; and

(3) in order to avoid the perception of disparity, the True North program should operate on an installation-wide basis, rather than on a unit-by-unit basis within that installation.

SA 2236. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 1057(a)(1), redesignate subparagraph (C) as subparagraph (D) and insert before such subparagraph, as so redesignated, the following:

(C) IMPLEMENTATION PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a plan to expedite the testing, demonstration and validation of technologies that support the strategy required under subparagraph (A).

SA 2237. Mr. CORNYN (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. NOTICES OF FUNDING OPPORTUNITY TRANSPARENCY.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency''—

(A) has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code; and

(B) does not include the Government Accountability Office.

(2) COMPETITIVE GRANT.—The term ''competitive grant'' means a discretionary award (as defined in section 200.1 of title 2, Code of Federal Regulations) awarded by an agency—

(A) through a grant agreement or cooperative agreement under which the agency makes payment in cash or in kind to a recipient to carry out a public purpose authorized by law; and

(B) the recipient of which is selected from a pool of applicants through the use of merit-based selection procedures for the purpose of allocating funds authorized under a grant program of the agency.

(3) EVALUATION OR SELECTION CRITERIA.—The term ''evaluation or selection criteria'' means standards or principles for judging, evaluating, or selecting an application for a competitive grant.

(4) NOTICE OF FUNDING OPPORTUNITY.—The term ''notice of funding opportunity'' has the meaning given the term in section 200.1 of title 2, Code of Federal Regulations.

(5) RATING SYSTEM.—The term ''rating system''—

(A) means a system of evaluation of competitive grant applications to determine how such applications advance through the selection process; and

(B) includes—

(i) a merit criteria rating rubric;

(ii) an evaluation of merit criteria;

(iii) a methodology to evaluate and rate based on a point scale; and

(iv) an evaluation to determine whether a competitive grant application meets evaluation or selection criteria.

(b) TRANSPARENCY REQUIREMENTS.—Each notice of funding opportunity issued by an agency for a competitive grant shall include—

(1) a description of any rating system and evaluation and selection criteria the agency uses to assess applications for the competitive grant;

(2) a statement of whether the agency uses a weighted scoring method and a description of any weighted scoring method the agency uses for the competitive grant, including the amount by which the agency weights each criterion; and

(3) any other qualitative or quantitative merit-based approach the agency uses to evaluate an application for the competitive grant.

(c) APPLICATIONS; DATA ELEMENTS.—

(1) IN GENERAL.—The Director of the Office of Management and Budget, in coordination with the Executive department designated under section 6402(a)(1) of title 31, United States Code, shall develop data elements relating to grant applications to ensure common reporting by each agency with respect to applications received in response to each notice of funding opportunity of the agency.

(2) CONTENTS.—The data elements developed under paragraph (1) shall include—

(A) the number of applications received; and

(B) the city and State of each organization that submitted an application.

(d) RULE OF CONSTRUCTION.—With respect to a particular competitive grant, nothing in this section shall be construed to supersede any requirement with respect to a notice of funding opportunity for the competitive grant in a law that authorizes the competitive grant.

(e) NO ADDITIONAL FUNDS.—No additional funds are authorized to be appropriated for the purpose of carrying out this section.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—This section shall take effect on the date that is 120 days after the date of enactment of this Act.

(2) NO RETROACTIVE EFFECT.—This section shall not apply to a notice of funding opportunity issued before the date of enactment of this Act.

SA 2238. Mr. CORNYN (for himself, Mr. LUJÁN, Mr. SCOTT of Florida, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end title XV, add the following:

Subtitle E—Licensing Aerospace Units to New Commercial Heights Act of 2024

SEC. 1549. SHORT TITLE.

This subtitle may be cited as the ''Licensing Aerospace Units to New Commercial Heights Act of 2024'' or the ''LAUNCH Act''.

SEC. 1550. STREAMLINING REGULATIONS RELATING TO COMMERCIAL SPACE LAUNCH AND REENTRY REQUIREMENTS.

(a) EVALUATION OF IMPLEMENTATION OF PART 450.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation (referred to in this subtitle as the ''Secretary'') shall evaluate the implementation of part 450 of title 14, Code of Federal Regulations (in this section referred to as ''part 450'') and the impacts of part 450 on the commercial spaceflight industry.

(2) ELEMENTS.—The evaluation required by paragraph (1) shall include an assessment of—

(A) whether increased uncertainty in the commercial spaceflight industry has resulted from the implementation of part 450;

(B) whether part 450 has resulted in operational delays to emerging launch programs; and

(C) whether timelines for reviews have changed, including an assessment of the impact of the incremental review process on those timelines and the root cause for multiple reviews, if applicable.

(3) REPORT REQUIRED.—Not later than 90 days after completing the review required by paragraph (1), the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report that includes—

(A) the findings of the review;

(B) recommendations for reducing delays and inefficiencies resulting from part 450 that do not rely solely on additional personnel or funding; and

(C) an estimate for a timeline and funding for implementing the recommendations described in subparagraph (B).

(b) RULEMAKING COMMITTEE.—

(1) IN GENERAL.—The Secretary shall consider establishing a Space Transportation Rulemaking Committee, comprised of established and emerging United States commercial space launch and reentry services providers (including providers that hold, and providers that have applied for but not yet received, licenses issued under chapter 509 of title 51, United States Code)—

(A) to facilitate industry participation in developing recommendations for amendments to part 450 to address the challenges identified in conducting the review required by subsection (a) or under paragraph (2) of section 50905(d) of title 51, United States Code (as added by subsection (d)(3)); and

(B) to provide a long-term forum for the United States commercial spaceflight industry to share perspectives relating to regulations affecting the industry.

(2) PREVENTION OF DUPLICATIVE EFFORTS.—The Secretary shall ensure that a Space Transportation Rulemaking Committee established under this subsection does not provide services or make efforts that are duplicative of the services provided and efforts made by the Commercial Space Transportation Advisory Committee.

(c) ENCOURAGEMENT OF INNOVATION.—The Secretary shall, on an ongoing basis, determine whether any requirements for a license issued under chapter 509 of title 51, United States Code, can be modified or eliminated to encourage innovative new technologies and operations.

(d) MODIFICATIONS TO REQUIREMENTS AND PROCEDURES FOR LICENSE APPLICATIONS.—

(1) CONSIDERATION OF SAFETY RATIONALES OF LICENSE APPLICANTS.—Section 50905(a)(2) of title 51, United States Code, is amended—

(A) by striking ''Secretary may'' inserting the following: ''Secretary—

''(A) may'';

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

(C) by adding at the end the following:

''(B) shall accept a reasonable safety rationale proposed by an applicant for a license under this chapter, including new approaches, consistent with paragraph (1).''.

(2) FACILITATION OF LICENSE APPLICATIONS AND ASSISTANCE TO APPLICANTS.—Section 50905(a) of title 51, United States Code, is amended by adding at the end the following:

''(3) In carrying out paragraph (1), the Secretary shall assign a licensing team lead to each applicant for a license under this chapter to assist the applicant in streamlining the process for reviewing and approving the license application.''.

(3) STREAMLINING OF REVIEW PROCESSES.—Section 50905(d) of title 51, United States Code, is amended by striking the end period and inserting the following: '', including by—

''(1) adjudicating determinations with respect to such applications and revisions to such determinations in a timely manner as part of the incremental review process under section 450.33 of title 14, Code of Federal Regulations (or a successor regulation); and

''(2) eliminating and streamlining duplicative review processes with other agencies, particularly relating to the use of Federal ranges or requirements to use the assets of Federal ranges.''.

SEC. 1551. STREAMLINING LICENSING OF PRIVATE REMOTE SENSING SPACE SYSTEMS.

(a) CLARIFICATION OF REMOTE SENSING REGULATORY AUTHORITY OVER CERTAIN IMAGING SYSTEMS.—Section 60121(a)(2) of title 51, United States Code, is amended by adding at the end the following: ''Instruments used primarily for mission assurance or other technical purposes shall not be considered to be conducting remote sensing. Instruments used primarily for mission assurance or other technical purposes are instruments used to support the health of the launch vehicle or spacecraft of the operator or the safety of the space operations of the operator, including instruments used to support on-board self-monitoring for technical assurance, flight reliability, spaceflight safety, navigation, attitude control, separation events, payload deployments, or instruments collecting self-images.''.

(b) FACILITATION OF LICENSE APPLICATIONS AND ASSISTANCE TO APPLICANTS.—

(1) IN GENERAL.—Section 60121 of title 51, United States Code, is amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (c) the following:

''(d) ASSIGNMENT OF DEDICATED LICENSING OFFICER.—The Secretary shall assign a licensing officer to oversee the application of the applicant for a license under subsection (a). The licensing officer shall assist the applicant by facilitating the application process, minimizing license conditions, and expediting the review and approval of the application, to the extent authorized by law.''.

(2) CONFORMING AMENDMENT.—Section 60122(b)(3) of title 51, United States Code, is amended by striking ''section 60121(e)'' and inserting ''section 60121(f)''.

(c) TRANSPARENCY AND EXPEDITIOUS REVIEW OF LICENSES.—In carrying out the authorities under subchapter III of chapter 601 of title 51, United States Code, the Secretary shall—

(1) provide transparency to and engagement with applicants throughout the licensing process, including by stating with specificity to the applicant or licensee what basis caused the tiering determination of the license;

(2) minimize the timelines for review of commercial remote sensing licensing applications; and

(3) not less frequently than annually, reevaluate the criteria for the tiering of satellite systems, with a goal of expeditiously recategorizing Tier 3 systems to a lower tier without temporary license conditions.

SEC. 1552. GAO REPORT.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on the policies, regulations, and practices of the Department of Commerce (referred to in this section as the ''Department'') with respect to the private remote sensing space industry.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the extent to which such licensing policies, regulations, and practices of the Department promote or inhibit a robust domestic private remote sensing industry, including any restrictions that impede innovative remote sensing capabilities.

(2) Recommendations on changes to policies, regulations, and practices for consideration by the Secretary of Commerce to promote United States industry leadership in private remote sensing capabilities, including recommendations for—

(A) determining whether the costs to industry outweigh the benefits of conducting on-site ground station visits, and possible alternatives to ensuring compliance;

(B) assessing the information in a license application that should be treated as a material fact and the justification for such treatment;

(C) incorporating industry feedback into Department policies, regulations, and practices; and

(D) increasing Department transparency by—

(i) ensuring the wide dissemination of Department guidance;

(ii) providing clear application instructions; and

(iii) establishing written precedent of Department actions.

SA 2239. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. PARITY FOR NATIVE HAWAIIANS FOR RURAL DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—

(1) DEFINITION OF COVERED PROGRAM.—In this subsection, the term ''covered program'' means any program administered by any agency of the rural development mission area of the Department of Agriculture.

(2) PARITY FOR NATIVE HAWAIIANS.—Notwithstanding any requirement under any other provision of law relating to eligibility for covered programs, and without regard to the population of, or income of individuals residing in, the area served by assistance received under covered programs—

(A) Native Hawaiians (as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517)) shall be eligible for covered programs to the same extent that other individuals are eligible for covered programs; and

(B) Native Hawaiian organizations (as defined in that section), including the Department of Hawaiian Home Lands and the Office of Hawaiian Affairs, shall be eligible for covered programs to the same extent that other nonprofit organizations and other State, local, or other government agencies, respectively, are eligible for covered programs.

(b) SUBSTANTIALLY UNDERSERVED TRUST AREAS IN HAWAII.—Section 306F of the Rural Electrification Act of 1936 (7 U.S.C. 936f) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as so designated), by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(iii) by adding at the end the following:

''(B) HAWAII.—With respect to the State of Hawaii, the term 'eligible program' means any program administered by any agency of the rural development mission area.''; and

(B) in paragraph (2)—

(i) by striking ''The term'' and inserting the following:

''(A) IN GENERAL.—The term''; and

(ii) by adding at the end the following:

''(B) HAWAII.—With respect to the State of Hawaii, the term 'substantially underserved trust area' includes any land located within the same county as a community described in subparagraph (A).'';

(2) in subsection (b), by striking ''in communities''; and

(3) in subsection (c), in paragraphs (1) and (2), by inserting ''(or by any agency of the rural development mission area, in the case of the State of Hawaii)'' after ''Rural Utilities Service'' each place it appears.

SA 2240. Mr. SCHATZ (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Native American Housing Assistance and Self-Determination Reauthorization Act of 2024

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2024''.

SEC. 1097. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the responsibilities under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 1098. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2025 through 2031''.

SEC. 1099. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including college housing assistance,'' after ''self-sufficiency and other services,''.

SEC. 1099A. CLARIFICATION OF APPLICATION OF RENT RULE TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 1099B. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$7,000''.

SEC. 1099C. TOTAL DEVELOPMENT COST MAXIMUM COST.

Section 203 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133) is amended by adding at the end the following:

''(h) TOTAL DEVELOPMENT COST MAXIMUM COST.—Affordable housing that is developed, acquired, or assisted under the block grant program established under section 101 shall not exceed by more than 20 percent, without prior approval of the Secretary, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.''.

SEC. 1099D. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 1099E. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 1099F. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 1099G. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 1099H. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 1099I. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 1099J. AMENDMENTS FOR BLOCK GRANTS FOR AFFORDABLE HOUSING ACTIVITIES.

Section 802(e) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4222(e)) is amended—

(1) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Director''; and

(2) by adding at the end the following:

''(2) SUBAWARDS.—Notwithstanding any other provision of law, including provisions of State law requiring competitive procurement, the Director may make subawards to subrecipients, except for for-profit entities, using amounts provided under this title to carry out affordable housing activities upon a determination by the Director that such subrecipients have adequate capacity to carry out activities in accordance with this Act.''.

SEC. 1099K. REAUTHORIZATION OF HOUSING ASSISTANCE FOR NATIVE HAWAIIANS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2025 through 2031.''.

SEC. 1099L. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS AND SPECIAL ACTIVITIES BY INDIAN TRIBES.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES, TRIBALLY DESIGNATED HOUSING ENTITIES, AND TRIBAL ORGANIZATIONS AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITIONS.—In this subsection:

''(A) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning the

term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(B) TRIBALLY DESIGNATED HOUSING ENTITY.—The term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—An Indian tribe, a tribally designated housing entity, or a tribal organization shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a)(1).

''(j) SPECIAL ACTIVITIES BY INDIAN TRIBES.—An Indian tribe receiving a grant under paragraph (1) of section 106(a) shall be authorized to directly carry out activities described in paragraph (15) of such section 106(a).''.

SEC. 1099M. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) AUTHORITY.—To provide access to sources of private financing to Indian families, Indian housing authorities, and Indian tribes, who otherwise could not acquire housing financing because of the unique legal status of Indian lands and the unique nature of tribal economies, and to expand homeownership opportunities to Indian families, tribally designated housing entities, Indian housing authorities, and Indian tribes on fee simple lands, the Secretary may guarantee not to exceed 100 percent of the unpaid principal and interest due on any loan eligible under subsection (b) made to an Indian family, tribally designated housing entity, Indian housing authority, or Indian tribe on trust land and fee simple land.'';

(2) in subsection (b)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(ii) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(iii) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(iv) by adding at the end the following:

''(B) DIRECT GUARANTEE ENDORSEMENT PROCESS AND INDEMNIFICATION.—

''(i) AUTHORIZATION.—The Secretary may, dependent on the available systems development and staffing resources, delegate to eligible lenders the authority to directly endorse loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a loan guaranteed under this section was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss or potential loss, irrespective of whether the violation caused or will cause the loan default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a loan guaranteed under this section, the Secretary may require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of whether there was a payment made by the Secretary under the guarantee.

''(III) IMPLEMENTATION.—The Secretary may implement any requirement described in this subparagraph by regulation, notice or Dear Lender Letter.

''(C) REVIEW OF LENDERS.—

''(i) IN GENERAL.—The Secretary may periodically review the lenders originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the lender with other lenders originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed loans originated, underwritten, or serviced by that lender;

''(II) may compare the lender with such other lenders based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(III) shall implement the comparisons described in subclauses (I) and (II) by regulation, notice, or Dear Lender Letter; and

''(IV) may terminate the approval of a lender to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the lender present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the lender engaged in fraud or misrepresentation.''; and

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (h)(1)(B), the term of the loan shall not exceed 40 years'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking ''Before'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), before''; and

(ii) by adding at the end the following:

''(B) EXCEPTION.—Subparagraph (A) shall not apply when the Secretary exercises its discretion to delegate direct guarantee endorsement authority to eligible lenders under subsection (b)(4)(B)(i).'';

(B) in paragraph (2)—

(i) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary''; and

(ii) by adding at the end the following:

''(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority to eligible lenders under subsection (b)(4)(B)(i)—

''(i) subparagraph (A) shall not apply; and

''(ii) the direct guarantee endorsement lender may issue a certificate under this paragraph as evidence of the guarantee in accordance with requirements established by the Secretary.''; and

(C) in paragraph (3), by inserting '', or where applicable, the direct guarantee endorsement lender,'' after ''Secretary'' in each place that term appears; and

(4) in subsection (l)—

(A) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(B) by inserting after paragraph (7) the following:

''(8) The term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2025 through 2031.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2025 through 2031''.

SEC. 1099N. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (b), by inserting '', and to expand homeownership opportunities to Native Hawaiian families who are eligible to receive a homestead under the Hawaiian Homes Commission Act, 1920 (42 Stat. 108) on fee simple lands in the State of Hawaii'' after ''markets'';

(2) in subsection (c)—

(A) by amending paragraph (2) to read as follows:

''(2) ELIGIBLE HOUSING.—The loan shall be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing.'';

(B) in paragraph (4)—

(i) in subparagraph (B)—

(I) by redesignating clause (iv) as clause (v); and

(II) by adding after clause (iii) the following:

''(iv) Any other lender that is supervised, approved, regulated, or insured by any agency of the Federal Government, including any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(ii) by adding at the end the following:

''(C) DIRECT GUARANTEE ENDORSEMENT AND INDEMNIFICATION.—

''(i) IN GENERAL.—If the Secretary determines that a loan guaranteed under this section was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this paragraph to indemnify the Secretary for the loss or potential loss, irrespective of whether the violation caused or will cause the loan default.

''(ii) DIRECT GUARANTEE ENDORSEMENT.—The Secretary may, dependent on the availability of systems development and staffing resources, delegate to eligible lenders the authority to directly endorse loans under this section.

''(iii) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation was involved in the direct guarantee endorsement process by a lender under this section, the Secretary shall require the approved direct guarantee endorsement lender to indemnify the Secretary for any loss or potential loss, regardless of whether the fraud or misrepresentation caused or may cause the loan default.

''(iv) IMPLEMENTATION.—The Secretary may implement any requirements described

in this subparagraph by regulation, notice, or Dear Lender Letter.

''(v) REVIEW OF LENDERS.—

''(I) IN GENERAL.—The Secretary may periodically review the lenders originating, underwriting, or servicing single family mortgage loans under this section.

''(II) REQUIREMENTS.—In conducting a review under paragraph (1), the Secretary—

''(aa) shall compare the lender with other lenders originating or underwriting loan guarantees for Indian housing and Native Hawaiian housing based on the rates of defaults and claims for guaranteed loans originated, underwritten, or serviced by that lender; and

''(bb) may compare the lender with such other lenders based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary.'';

(C) in paragraph (5)(A), by inserting before the semicolon at the end the following: ''except, as determined by the Secretary, when there is a loan modification under subsection (i)(1)(B), the term of the loan shall not exceed 40 years'';

(3) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''Before'' and inserting ''Except as provided in subsection (C), before'';

(ii) in subparagraph (B), by striking ''If'' and inserting ''Except as provided under subparagraph (C), before''; and

(iii) by adding at the end the following:

''(C) EXCEPTION.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii), subparagraphs (A) and (B) of this paragraph shall not apply.'';

(B) by amending paragraph (2) to read as follows:

''(2) STANDARD FOR APPROVAL.—

''(A) APPROVAL.—Except as provided in subparagraph (B), the Secretary may approve a loan for guarantee under this section and issue a certificate under this subsection only if the Secretary determines that there is a reasonable prospect of repayment of the loan.

''(B) EXCEPTIONS.—When the Secretary exercises its discretion to delegate direct guarantee endorsement authority pursuant to subsection (c)(4)(C)(ii)—

''(i) subparagraph (A) shall not apply; and

''(ii) the direct guarantee endorsement lender may issue a certificate under this paragraph as evidence of the guarantee in accordance with requirements prescribed by the Secretary.''; and

(C) in paragraph (3)(A), by inserting ''or, where applicable, the direct guarantee endorsement lender,'' after ''Secretary'' and

(4) in subsection (j)(5)(B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2025 through 2031.''.

SEC. 1099O. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may, in consultation with the Bureau of Indian Affairs and relevant Tribal law enforcement agencies, make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing communities funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents;

(8) sports programs and sports activities that serve primarily youths from housing communities funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those communities; and

(9) other programs for youth in school settings that address drug prevention and positive alternatives for youth, including education and activities related to science, technology, engineering, and math.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall publish on the website of the Department a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, as specified in the program requirements published in a notice by the Secretary, which may include—

(A) the use of on-site monitoring, independent public audit requirements, certification by Tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2);

(B) entering into agreements with the Attorney General to achieve compliance, and

verification of compliance, with the provisions of this section; and

(C) adopting enforcement authority that is substantially similar to the authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2025 through 2031 to carry out this section.

SEC. 1099P. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following:

''(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary may use up to 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(I) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(II) submit a report describing the results of the review under subclause (II) to—

''(aa) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(bb) the Subcommittee for Indian and Insular Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(xi) IMPACT ON FORMULA CURRENT ASSISTED STOCK.—For a given fiscal year's allocation formula of the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), the number of qualifying low-income housing dwelling units under section 302(b)(1) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4152(b)(1)) shall not be reduced due to the placement of an eligible Indian veteran assisted with amounts provided under the Program within such qualifying units.''.

SEC. 1099Q. CONTINUUM OF CARE.

Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is amended—

(1) in section 401 (42 U.S.C. 11360)—

(A) by redesignating paragraphs (32) through (35) as paragraphs (33) through (36) respectively; and

(B) by inserting after paragraph (31) the following:

''(32) TRIBALLY DESIGNATED HOUSING ENTITY.—The term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).'';

(2) in section 423(g) (42 U.S.C. 11383(g)), by inserting ''Indian tribe, tribally designated housing entity,'' after ''private nonprofit organization,''; and

(3) in section 435 (42 U.S.C. 11389)—

(A) by striking ''Notwithstanding'' and inserting ''(a) ELIGIBLE ENTITIES.—Notwithstanding'';

(B) in subsection (a), as so designated, by striking ''(as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103))''; and

(C) by adding at the end the following:

''(b) CIVIL RIGHTS EXEMPTIONS.—With respect to grants awarded to carry out eligible activities under this subtitle, title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.) shall not apply to applications or awards for projects to be carried out—

''(1) on or off reservation or trust lands for awards made to Indian Tribes or tribally designated housing entities; or

''(2) on reservation or trust lands for awards made to eligible entities.

''(c) CERTIFICATION.—Notwithstanding section 106 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12706) and section 403 of this Act, with respect to applications for projects to be carried out on reservations or trust land using grants awarded under this subtitle—

''(1) the applications shall contain a certification of consistency with an approved Indian housing plan developed under section 102 of the Native American Housing Assistance and Self-Determination Act (25 U.S.C. 4112); and

''(2) Indian tribes and tribally designated housing entities that are recipients of awards for projects on reservations or trust land from such funds shall certify that they are following an approved housing plan developed under section 102 of the Native

American Housing Assistance and Self-Determination Act (25 U.S.C. 4112).

''(d) CONSOLIDATED PLAN EXEMPTION.—A collaborative applicant for a Continuum of Care whose geographic area includes only reservation or trust land is not required to meet the requirement described in section 402(f)(2).''.

SA 2241. Mr. SCHATZ (for himself, Ms. MURKOWSKI, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—TRUTH AND HEALING COMMISSION ON INDIAN BOARDING SCHOOL POLICIES ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Truth and Healing Commission on Indian Boarding School Policies Act of 2024''.

SEC. 5002. FINDINGS.

Congress finds that—

(1) attempts to destroy Native American cultures, religions, and languages through assimilationist practices and policies can be traced to the early 17th century and the founding charters of some of the oldest educational institutions in the United States;

(2) in June 2021, and in light of the long history of the assimilationist policies and practices referred to in paragraph (1) and calls for reform from Native peoples, the Secretary of the Interior directed the Department of the Interior to investigate the role of the Federal Government in supporting those policies and practices and the intergenerational impacts of those policies and practices;

(3) in May 2022, the Department of the Interior published volume 1 of a report entitled ''Federal Indian Boarding School Initiative Investigative Report'' (referred to in this section as the ''Report''), which found that—

(A) as early as 1819, and until 1969, the Federal Government directly or indirectly supported approximately 408 Indian Boarding Schools across 37 States;

(B) American Indian, Alaska Native, and Native Hawaiian children, as young as 3 years old, were forcibly removed from their homes and sent to Indian Boarding Schools located throughout the United States;

(C) Indian Boarding Schools used systematic, violent, and militarized identity-altering methods, such as physical, sexual, and psychological abuse and neglect, to attempt to forcibly assimilate Native children and strip them of their languages, cultures, and social connections;

(D) the violent methods referred to in subparagraph (C) were carried out for the purpose of—

(i) destroying the cultures, languages, and religions of Native peoples; and

(ii) dispossessing Native peoples of their ancestral lands;

(E) many of the children who were taken to Indian Boarding Schools did not survive, and of those who did survive, many never returned to their parents, extended families, or communities;

(F) many of the children who were taken to Indian Boarding Schools and did not survive were interred in cemeteries and unmarked graves; and

(G) American Indian, Alaska Native, and Native Hawaiian communities continue to experience intergenerational trauma and cultural and familial disruption from experiences rooted in Indian Boarding Schools Policies, which divided family structures, damaged cultures and individual identities, and inflicted chronic physical and psychological ramifications on American Indian, Alaska Native, and Native Hawaiian children, families, and communities;

(4) the ethos and rationale for Indian Boarding Schools is infamously expressed in the following quote from the founder of the Carlisle Indian Industrial School, Richard Henry Pratt: ''Kill the Indian in him, and save the man.'';

(5) the children who perished at Indian Boarding Schools or in neighboring hospitals and other institutions were buried in on-campus and off-campus cemeteries and unmarked graves;

(6) parents of children who were forcibly removed from or coerced into leaving their homes and placed in Indian Boarding Schools were prohibited from visiting or engaging in correspondence with their children;

(7) parental resistance to compliance with the harsh, no-contact policy of Indian Boarding Schools resulted in parents being incarcerated or losing access to basic human rights, food rations, and clothing; and

(8) the Federal Government has a responsibility to fully investigate its role in, and the lasting effects of, Indian Boarding School Policies.

SEC. 5003. PURPOSES.

The purposes of this division are—

(1) to establish a Truth and Healing Commission on Indian Boarding School Policies in the United States, including other necessary advisory committees and subcommittees;

(2) to formally investigate, document, and report on the histories of Indian Boarding Schools, Indian Boarding School Polices, and the systematic and long-term effects of those schools and policies on Native American peoples;

(3) to develop recommendations for Federal action based on the findings of the Commission; and

(4) to promote healing for survivors of Indian Boarding Schools, the descendants of those survivors, and the communities of those survivors.

SEC. 5004. DEFINITIONS.

In this division:

(1) COMMISSION.—The term ''Commission'' means the Truth and Healing Commission on Indian Boarding School Policies in the United States established by section 5101(a).

(2) FEDERAL TRUTH AND HEALING ADVISORY COMMITTEE.—The term ''Federal Truth and Healing Advisory Committee'' means the Federal Truth and Healing Advisory Committee established by section 5211(a).

(3) INDIAN.—The term ''Indian'' has the meaning given the term in section 6151 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7491).

(4) INDIAN BOARDING SCHOOL.—The term ''Indian Boarding School'' means—

(A) a site of an institution that—

(i) provided on-site housing or overnight lodging;

(ii) was described in Federal records as providing formal academic or vocational training and instruction to American Indians, Alaska Natives, or Native Hawaiians;

(iii) received Federal funds or other Federal support; and

(iv) was operational before 1969;

(B) a site of an institution identified by the Department of the Interior in appendices A and B of the report entitled ''Federal Indian Boarding School Initiative Investigative Report'' and dated May 2022 (or a successor report); or

(C) any other institution that implemented Indian Boarding School Policies, including an Indian day school.

(5) INDIAN BOARDING SCHOOL POLICIES.—The term ''Indian Boarding School Policies'' means Federal laws, policies, and practices purported to ''assimilate'' and ''civilize'' American Indians, Alaska Natives, and Native Hawaiians that included psychological, physical, sexual, and mental abuse, forced removal from home or community, and identity-altering practices intended to terminate Native languages, cultures, religions, social organizations, or connections to traditional land.

(6) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(7) NATIVE AMERICAN.—The term ''Native American'' means an individual who is—

(A) an Indian; or

(B) a Native Hawaiian.

(8) NATIVE AMERICAN TRUTH AND HEALING ADVISORY COMMITTEE.—The term ''Native American Truth and Healing Advisory Committee'' means the Native American Truth and Healing Advisory Committee established by the Commission under section 5201(a).

(9) NATIVE HAWAIIAN.—The term ''Native Hawaiian'' has the meaning given the term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(10) NATIVE HAWAIIAN ORGANIZATION.—The term ''Native Hawaiian organization'' means a private nonprofit organization that—

(A) serves and represents the interests of Native Hawaiians;

(B) has as its primary and stated purpose the provision of services to Native Hawaiians;

(C) has Native Hawaiians serving in substantive and policymaking positions; and

(D) is recognized for having expertise in Native Hawaiian affairs.

(11) OFFICE OF HAWAIIAN AFFAIRS.—The term ''Office of Hawaiian Affairs'' has the meaning given the term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(12) SURVIVORS TRUTH AND HEALING SUBCOMMITTEE.—The term ''Survivors Truth and Healing Subcommittee'' means the Survivors Truth and Healing Subcommittee established by section 5121(a).

(13) TRAUMA-INFORMED CARE.—The term ''trauma-informed care'' means holistic psychological and health care practices that include promoting culturally responsive practices, patient psychological, physical, and emotional safety, and environments of healing, trust, peer support, and recovery.

(14) TRIBAL ORGANIZATION.—The term ''Tribal organization'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

TITLE LI—COMMISSION AND SUBCOMMITTEES

Subtitle A—Truth and Healing Commission on Indian Boarding School Policies in the United States

SEC. 5101. TRUTH AND HEALING COMMISSION ON INDIAN BOARDING SCHOOL POLICIES IN THE UNITED STATES.

(a) ESTABLISHMENT.—There is established a commission, to be known as the ''Truth and Healing Commission on Indian Boarding School Policies in the United States''.

(b) MEMBERSHIP.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Commission shall include 5 members, to be jointly appointed by the majority and minority leaders of the Senate, in consultation with the Chairperson

and Vice Chairperson of the Committee on Indian Affairs of the Senate, the Speaker of the House of Representatives, the minority leader of the House of Representatives, and the Chair and Ranking Member of the Committee on Natural Resources of the House of Representatives, from among the nominees submitted under paragraph (2)(A), of whom—

(i) 1 shall be an individual with extensive experience and expertise as a principal investigator overseeing or leading complex research initiatives with and for Indian Tribes and Native Americans;

(ii) 1 shall be an individual (barred in good standing) with extensive experience and expertise in the area of indigenous human rights law and policy, including overseeing or leading broad-scale investigations of abuses of indigenous human rights;

(iii) 1 shall be an individual with extensive experience and expertise in Tribal court judicial and restorative justice systems and Federal agencies, such as participation as a Tribal judge, researcher, or former presidentially appointed commissioner;

(iv) 1 shall be an individual with extensive experience and expertise in providing and coordinating trauma-informed care and other health-related services to Indian Tribes and Native Americans; and

(v) 1 shall be a Native American individual recognized as a traditional cultural authority by their respective Native community.

(B) ADDITIONAL REQUIREMENTS FOR MEMBERSHIP.—In addition to the requirements described in subparagraph (A), members of the Commission shall be persons of recognized integrity and empathy, with a demonstrated commitment to the values of truth, reconciliation, healing, and expertise in truth and healing endeavors that are traditionally and culturally appropriate so as to provide balanced points of view and expertise with respect to the duties of the Commission.

(2) NOMINATIONS.—

(A) IN GENERAL.—Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations may submit to the Secretary of the Interior nominations for individuals to be appointed to the Commission not later than 90 days after the date of enactment of this Act.

(B) NATIVE AMERICAN PREFERENCE.—Individuals nominated under subparagraph (A) who are Native American shall receive a preference in the selection process for appointment to the Commission under paragraph (1).

(C) SUBMISSION TO CONGRESS.—Not later than 7 days after the submission deadline for nominations described in subparagraph (A), the Secretary of the Interior shall submit to Congress a list of the individuals nominated under that subparagraph.

(3) DATE.—Members of the Commission under paragraph (1) shall be appointed not later than 180 days after the date of enactment of this Act.

(4) PERIOD OF APPOINTMENT; VACANCIES; REMOVAL.—

(A) PERIOD OF APPOINTMENT.—A member of the Commission shall be appointed for a term that is the shorter of—

(i) 6 years; and

(ii) the life of the Commission.

(B) VACANCIES.—After all initial members of the Commission are appointed and the initial business meeting of the Commission has been convened under subsection (c)(1), a single vacancy in the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled within 90 days in the same manner as was the original appointment.

(C) REMOVAL.—A quorum of members of the Commission may remove a member of the Commission only for neglect of duty or malfeasance.

(5) TERMINATION.—The Commission shall terminate 30 days after the date on which the Commission completes its duties under section 5111(e)(5)(B).

(6) LIMITATION.—No member of the Commission shall be an officer or employee of the Federal Government.

(c) BUSINESS MEETINGS.—

(1) INITIAL BUSINESS MEETING.—90 days after the date on which all of the members of the Commission are appointed under subsection (b)(1)(A), the Commission shall hold the initial business meeting of the Commission—

(A) to appoint a Chairperson, a Vice Chairperson, a Secretary, and such other positions as determined necessary by the Commission;

(B) to establish rules for meetings of the Commission; and

(C) to appoint members of—

(i) the Survivors Truth and Healing Subcommittee under section 5121(b)(1); and

(ii) the Native American Truth and Healing Advisory Committee under section 5201(b)(1).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Commission is held under paragraph (1), the Commission shall meet at the call of the Chairperson.

(3) ADVISORY AND SUBCOMMITTEE COMMITTEES DESIGNEES.—Each Commission business meeting shall include participation by 2 nonvoting designees from each of the Survivors Truth and Healing Subcommittee, the Native American Truth and Healing Advisory Committee, and the Federal Truth and Healing Advisory Committee, as appointed in accordance with section 5121(c)(1)(D), section 5201(e)(1)(C), and section 5211(c)(1)(C), as applicable.

(4) FORMAT OF MEETINGS.—A business meeting of the Commission may be conducted in-person, virtually, or via phone.

(5) QUORUM REQUIRED.—A business meeting of the Commission may only be held once a quorum, established in accordance with subsection (d), is present.

(d) QUORUM.—A simple majority of the members of the Commission present shall constitute a quorum for a business meeting.

(e) RULES.—The Commission may establish, by a majority vote, any rules for the conduct of Commission business, in accordance with this section and other applicable law.

(f) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF COMMISSIONERS.—A member of the Commission shall be compensated at a daily equivalent of the annual rate of basic pay prescribed for grade 14 of the General Schedule under section 5332 of title 5, United States Code, for each day, not to exceed 14 days per month, for which a member is engaged in the performance of their duties under this division, including convening meetings, including business meetings or public or private meetings to receive testimony in furtherance of the duties of the Commission and the purposes of this division.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency and at the request of the Commission, may be detailed to the Commission without—

(A) reimbursement to the agency of that employee; and

(B) interruption or loss of civil service status, benefits, or privileges.

(g) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission may, for the purpose of carrying out this division—

(A) hold such hearings and sit and act at such times and places, take such testimony, and receive such evidence, virtually or in-person, as the Commission may determine necessary to accomplish the purposes of this division;

(B) conduct or request such interdisciplinary research, investigation, or analysis of such information and documents, records, or other evidence as the Commission may determine necessary to accomplish the purposes of this division, including—

(i) securing, directly from a Federal agency, such information as the Commission considers necessary to accomplish the purposes of this division; and

(ii) requesting the head of any relevant Tribal or State agency to provide to the Commission such information as the Commission considers necessary to accomplish the purposes of this division;

(C) subject to paragraphs (1) and (2) of subsection (i), require, by subpoena or otherwise, the production of such records, papers, correspondence, memoranda, documents, books, videos, oral histories, recordings, or any other paper or electronic material, as the Commission may determine necessary to accomplish the purposes of this division;

(D) oversee, direct, and collaborate with the Federal Truth and Healing Advisory Committee, the Native American Truth and Healing Advisory Committee, and the Survivors Truth and Healing Subcommittee to accomplish the purposes of this division; and

(E) coordinate with Federal and non-Federal entities to preserve and archive, as appropriate, any gifts, documents, or other property received while carrying out the purposes of this division.

(2) CONTRACTING; VOLUNTEER SERVICES.—

(A) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriations Acts, and in accordance with applicable law, enter into contracts and other agreements with public agencies, private organizations, and individuals to enable the Commission to carry out the duties of the Commission under this division.

(B) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use such voluntary and uncompensated services as the Commission determines to be necessary.

(C) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide, on request of the Commission, on a reimbursable basis, administrative support and other services for the performance of the functions of the Commission under this division.

(3) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(4) GIFTS, FUNDRAISING, AND DISBURSEMENT.—

(A) GIFTS AND DONATIONS.—

(i) IN GENERAL.—The Commission may accept, use, and dispose of any gift, donation, service, property, or other record or recording to accomplish the purposes of this division.

(ii) RETURN OF GIFTS AND DONATIONS.—On termination of the Commission under subsection (b)(5), any gifts, unspent donations,

property, or other record or recording accepted by the Commission under clause (i) shall be—

(I) returned to the applicable donor that made the donation under that clause; or

(II) archived under subparagraph (E).

(B) FUNDRAISING.—The Commission may, on the affirmative vote of ⅗ of the members of the Commission, solicit funds to accomplish the purposes of this division.

(C) DISBURSEMENT.—The Commission may, on the affirmative vote of ⅗ of the members of the Commission, approve the expenditure of funds to accomplish the purposes of this division.

(D) TAX DOCUMENTS.—The Commission (or a designee) shall, on request of a donor under subparagraph (A) or (B), provide tax documentation to that donor for any tax-deductible gift made by that donor under those subparagraphs.

(E) ARCHIVING.—The Commission shall coordinate with the Library of Congress and the National Museum of the American Indian to archive and preserve relevant gifts or donations received under subparagraph (A) or (B).

(h) CONVENING.—

(1) CONVENING PROTOCOL.—

(A) IN GENERAL.—Not later than 45 days after the initial business meeting of the Native American Truth and Healing Advisory Committee, the Commission, 3 designees from the Native American Truth and Healing Advisory Committee, and 3 designees from the Survivors Truth and Healing Subcommittee shall hold a meeting to establish rules, protocols, and formats for convenings carried out under this subsection.

(B) RULES AND PROTOCOLS.—Not later than 45 days after the initial meeting described in subparagraph (A), the Commission shall finalize rules, protocols, and formats for convenings carried out under this subsection by a ⅗ majority in attendance at a meeting of the Commission.

(C) ADDITIONAL MEETINGS.—The Commission and designees described in subparagraph (A) may hold additional meetings, as necessary, to amend, by a ⅗ majority in attendance at a meeting of the Commission, the rules, protocols, and formats for convenings established under that subparagraph.

(2) ANNOUNCEMENT OF CONVENINGS.—Not later than 30 days before the date of a convening under this subsection, the Commission shall announce the location and details of the convening.

(3) MINIMUM NUMBER OF CONVENINGS.—The Commission shall hold—

(A) not fewer than 1 convening in each of the 12 regions of the Bureau of Indian Affairs and Hawai'i during the life of the Commission; and

(B) beginning 1 year after the date of enactment of this Act, not fewer than 1 convening per quarter to receive testimony each calendar year until the date on which the Commission submits the final report of the Commission under section 5111(e)(3).

(4) OPPORTUNITY TO PROVIDE TESTIMONY.—No person or entity shall be denied the opportunity to provide relevant testimony at a convenings held under this subsection, subject to the discretion of the Chairperson of the Commission (or a designee).

(i) SUBPOENAS.—

(1) IN GENERAL.—

(A) ISSUANCE OF SUBPOENAS.—

(i) IN GENERAL.—If a person fails to supply information requested by the Commission, the Commission may issue, on a unanimous vote of the Commission, a subpoena requiring from a person the production of any written or recorded evidence necessary to carry out the duties of the Commission under section 5111.

(ii) NOTIFICATION.—

(I) IN GENERAL.—Not later than 10 days before the date on which the Commission issues a subpoena under clause (i), the Commission shall submit to the Attorney General a confidential, written notice of the intent to issue the subpoena.

(II) SUBPOENA PROHIBITED BY ATTORNEY GENERAL.—

(aa) IN GENERAL.—The Attorney General, on receiving a notice under subclause (I), may, on a showing of a procedural or substantive defect, and after the Commission has a reasonable opportunity to cure, prohibit the issuance of the applicable subpoena described in that notice.

(bb) NOTIFICATION TO CONGRESS.—On prohibition of the issuance of a subpoena under item (aa), the Attorney General shall submit to Congress a report detailing the reasons for that prohibition.

(B) PRODUCTION OF EVIDENCE.—The production of evidence may be required from any place within the United States.

(2) FAILURE TO OBEY A SUBPOENA.—

(A) ORDER FROM A DISTRICT COURT OF THE UNITED STATES.—If a person does not obey a subpoena issued under paragraph (1), the Commission is authorized to apply to a district court of the United States described in subparagraph (B) for an order requiring that person to comply with the subpoena.

(B) LOCATION.—An application under subparagraph (A) may be made within the judicial district where the person described in that subparagraph resides or transacts business.

(C) PENALTY.—Any failure to obey an order of a court described in subparagraph (A) may be punished by the court as a civil contempt.

(3) SUBJECT MATTER JURISDICTION.—The district court of the United States in which an action is brought under paragraph (2)(B) shall have original jurisdiction over any civil action brought by the Commission to enforce, secure a declaratory judgment concerning the validity of, or prevent a threatened refusal or failure to comply with the applicable subpoena issued by the Commission.

(4) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in the manner provided for subpoenas issued by a district court of the United States under the Federal Rules of Civil Procedure.

(5) SERVICE OF PROCESS.—All process of any court to which an application is made under paragraph (2) may be served in the judicial district in which the person required to be served resides or transacts business.

(j) NONDISCLOSURE.—

(1) PRIVACY ACT OF 1974 APPLICABILITY.—Subsection (b) of section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), shall not apply to the Commission.

(2) FREEDOM OF INFORMATION ACT APPLICABILITY.—Records and other communications provided to, from, between, or within the Commission, the Federal Truth and Healing Advisory Committee, the Native American Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, and related agencies shall be exempt from disclosure under subsection (b)(3)(B) of section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

(3) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the ''Federal Advisory Committee Act''), shall not apply to the Commission.

(k) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Commission under section 5111, the Commission shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commission to carry out this division $15,000,000 for each fiscal year, to remain available until expended.

Subtitle B—Duties of the Commission

SEC. 5111. DUTIES OF THE COMMISSION.

(a) INVESTIGATION.—

(1) IN GENERAL.—The Commission shall conduct a comprehensive interdisciplinary investigation of Indian Boarding School Policies, including the social, cultural, economic, emotional, and physical effects of Indian Boarding School Policies in the United States on Native American communities, Indian Tribes, survivors of Indian Boarding Schools, families of those survivors, and their descendants.

(2) MATTERS TO BE INVESTIGATED.—The matters to be investigated by the Commission under paragraph (1) shall include, at a minimum—

(A) conducting a comprehensive review of existing research and historical records of Indian Boarding School Policies and any documentation, scholarship, or other resources relevant to the purposes of this division from—

(i) any archive or any other document storage location, notwithstanding the location of that archive or document storage location; and

(ii) any research conducted by private individuals, private entities, and non-Federal Government entities, whether domestic or foreign, including religious institutions;

(B) collaborating with the Federal Truth and Healing Advisory Committee to obtain all relevant information from—

(i) the Department of the Interior, the Department of Health and Human Services, other relevant Federal agencies, and institutions or organizations, including religious institutions or organizations, that operated an Indian Boarding School, carried out Indian Boarding School Policies, or have information the Commission determines relevant to the investigation of the Commission; and

(ii) Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations; and

(C) conducting a comprehensive assessment of the impacts of Indian Boarding School Policies on American Indian, Alaska Native, and Native Hawaiian cultures, traditions, and languages.

(3) RESEARCH RELATED TO OBJECTS, ARTIFACTS, AND REAL PROPERTY.—If the Commission conducts a comprehensive review of research described in paragraph (2)(A)(ii) that focuses on objects, artifacts, or real or personal property that are in the possession or control of private individuals, private entities, or non-Federal government entities within the United States, the Commission may enter into a contract or agreement to acquire, hold, curate, or maintain those objects, artifacts, or real or personal property until the objects, artifacts, or real or personal property can be properly repatriated or returned, consistent with applicable Federal law and regulations, subject to the condition that no Federal funds may be used to purchase those objects, artifacts, or real or personal property.

(b) MEETINGS AND CONVENINGS.—

(1) IN GENERAL.—The Commission shall hold, with the advice of the Native American Truth and Healing Advisory Committee and the Survivors Truth and Healing Subcommittee, and in coordination with, as relevant, Indian Tribes, Tribal organizations,

the Office of Hawaiian Affairs, and Native Hawaiian organizations, as part of its investigation under subsection (a), safe, trauma-informed, and culturally appropriate public or private meetings or convenings to receive testimony relating to that investigation.

(2) REQUIREMENTS.—The Commission shall ensure that meetings and convenings held under paragraph (1) provide access to adequate trauma-informed care services for participants, attendees, and communities during and following the meetings and convenings where the Commission receives testimony, including ensuring private space is available for survivors and descendants of survivors, family members, and other community members to receive trauma-informed care services.

(c) RECOMMENDATIONS.—

(1) IN GENERAL.—The Commission shall make recommendations to Congress relating to the investigation carried out under subsection (a), which shall be included in the final report required under subsection (e)(3).

(2) INCLUSIONS.—Recommendations made under paragraph (1) shall include, at a minimum, recommendations relating to—

(A) in light of Tribal and Native Hawaiian law, Tribal customary law, tradition, custom, and practice, how the Federal Government can meaningfully acknowledge the role of the Federal Government in supporting Indian Boarding School Policies in all issue areas that the Commission determines relevant, including appropriate forms of memorialization, preservation of records, objects, artifacts, and burials;

(B) how modification of existing laws, procedures, regulations, policies, budgets, and practices will, in the determination of the Commission, address the findings of the Commission and ongoing effects of Indian Boarding School Policies; and

(C) how the Federal Government can promote public awareness and education of Indian Boarding School Policies and the impacts of those policies, including through coordinating with the Native American Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, the National Museum of the American Indian, and other relevant institutions and organizations.

(d) DUTIES RELATED TO BURIALS.—The Commission shall, with respect to burial sites associated with Indian Boarding Schools—

(1) coordinate, as appropriate, with the Native American Truth and Healing Advisory Committee, the Federal Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, lineal descendants, Indian Tribes, the Office of Hawaiian Affairs, Federal agencies, institutions, and organizations to locate and identify, in a culturally appropriate manner, marked and unmarked burial sites, including cemeteries, unmarked graves, and mass burial sites, where students of Indian Boarding Schools were originally or later interred;

(2) locate, document, analyze, and coordinate the preservation or continued preservation of records and information relating to the interment of students, including any records held by Federal, State, international, or local entities or religious institutions or organizations; and

(3) share, to the extent practicable, with affected lineal descendants, Indian Tribes, and the Office of Hawaiian Affairs burial locations and the identities of children that attended Indian Boarding Schools.

(e) REPORTS.—

(1) ANNUAL REPORTS TO CONGRESS.—Not less frequently than annually each year until the year before the year in which the Commission submits the final report under paragraph (3), the Commission shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the activities of the Committee during the previous year, including an accounting of funds and gifts received and expenditures made, the progress made, and any barriers encountered in carrying out this division.

(2) COMMISSION INITIAL REPORT.—Not later than 4 years after the date on which a majority of the members of the Commission are appointed under section 5101(b)(1), the Commission shall submit to the individuals described in paragraph (4), and make publicly available, an initial report containing—

(A) a detailed review of existing research, including documentation, scholarship, or other resources shared with the Commission that further the purposes of this division;

(B) a detailed statement of the initial findings and conclusions of the Commission; and

(C) a detailed statement of the initial recommendations of the Commission.

(3) COMMISSION FINAL REPORT.—Not later than 6 years after the date on which a majority of the members of the Commission are appointed under section 5101(b)(1), the Commission shall submit to the individuals described in paragraph (4), and make publicly available, a final report containing the findings, conclusions, and recommendations of the Commission that have been agreed on by the vote of a majority of the members of the Commission and ⅗ of the members of each of the Native American Truth and Healing Advisory Committee and the Survivors Truth and Healing Subcommittee.

(4) REPORT RECIPIENTS.—The individuals referred to in paragraphs (2) and (3) are—

(A) the President;

(B) the Secretary of the Interior;

(C) the Attorney General;

(D) the Comptroller General of the United States;

(E) the Secretary of Education;

(F) the Secretary of Health and Human Services;

(G) the Secretary of Defense;

(H) the Chairperson and Vice Chairperson of the Committee on Indian Affairs of the Senate;

(I) the Chairperson and Ranking Member of the Committee on Natural Resources of the House of Representatives;

(J) the Chair and Co-Chair of the Congressional Native American Caucus;

(K) the Executive Director of the White House Council on Native American Affairs;

(L) the Director of the Office of Management and Budget;

(M) the Archivist of the United States;

(N) the Librarian of Congress; and

(O) the Director of the National Museum of the American Indian.

(5) ADDITIONAL COMMISSION RESPONSIBILITIES RELATING TO THE PUBLICATION OF THE INITIAL AND FINAL REPORTS.—

(A) EVENTS RELATING TO INITIAL REPORT.—

(i) IN GENERAL.—The Commission shall hold not fewer than 2 events in each region of the Bureau of Indian Affairs and Hawai'i following publication of the initial report under paragraph (2) to receive comments on the initial report.

(ii) TIMING.—The schedule of events referred to in clause (i) shall be announced not later than 90 days after the date on which the initial report under paragraph (2) is published.

(B) PUBLICATION OF FINAL REPORT.—Not later than 180 days after the date on which the Commission submits the final report under paragraph (3), the Commission, the Secretary of the Interior, the Secretary of Education, the Secretary of Defense, and the Secretary of Health and Human Services shall each make the final report publicly available on the website of the applicable agency.

(6) SECRETARIAL RESPONSE TO FINAL REPORT.—Not later than 120 days after the date on which the Secretary of the Interior, the Secretary of Education, the Secretary of Defense, and the Secretary of Health and Human Services receive the final report under paragraph (3), the Secretaries shall each make publicly available a written response to recommendations for future action by those agencies, if any, contained in the final report, and submit the written response to—

(A) the President;

(B) the Committee on Indian Affairs of the Senate;

(C) the Committee on Natural Resources of the House of Representatives; and

(D) the Comptroller General of the United States.

Subtitle C—Survivors Truth and Healing Subcommittee

SEC. 5121. SURVIVORS TRUTH AND HEALING SUBCOMMITTEE.

(a) ESTABLISHMENT.—There is established a subcommittee of the Commission, to be known as the ''Survivors Truth and Healing Subcommittee''.

(b) MEMBERSHIP, NOMINATION, AND APPOINTMENT TO THE SURVIVORS TRUTH AND HEALING SUBCOMMITTEE.—

(1) MEMBERSHIP.—The Survivors Truth and Healing Subcommittee shall include 15 members, to be appointed by the Commission, in consultation with the National Native American Boarding School Healing Coalition, from among the nominees submitted under paragraph (2)(A), of whom—

(A) 13 shall be representatives from each of the 12 regions of the Bureau of Indian Affairs and Hawai'i;

(B) 9 shall be individuals who attended an Indian Boarding School, of whom—

(i) not fewer than 2 shall be individuals who graduated during the 5-year period preceding the date of enactment of this Act from—

(I) an Indian Boarding School in operation as of that date of enactment; or

(II) a Bureau of Indian Education-funded school; and

(ii) all shall represent diverse regions of the United States;

(C) 5 shall be descendants of individuals who attended Indian Boarding Schools, who shall represent diverse regions of the United States; and

(D) 1 shall be an educator who, as of the date of the appointment—

(i) is employed at an Indian Boarding School; or

(ii) was employed at an Indian Boarding School during the 5-year period preceding the date of enactment of this Act.

(2) NOMINATIONS.—

(A) IN GENERAL.—Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations may submit to the Secretary of the Interior nominations for individuals to be appointed to the Survivors Truth and Healing Subcommittee not later than 90 days after the date of enactment of this Act.

(B) SUBMISSION.—The Secretary of the Interior shall provide the Commission with nominations submitted under subparagraph (A) at the initial business meeting of the Commission under section 5101(c)(1) and the Commission shall select the members of the Survivors Truth and Healing Subcommittee from among those nominees.

(3) DATE.—

(A) IN GENERAL.—The Commission shall appoint all members of the Survivors Truth and Healing Subcommittee during the initial business meeting of the Commission under section 5101(c)(1).

(B) FAILURE TO APPOINT.—If the Commission fails to appoint all members of the Survivors Truth and Healing Subcommittee in accordance with subparagraph (A), the Chair of the Committee on Indian Affairs of the Senate, with the concurrence of the Vice Chair of the Committee on Indian Affairs of the Senate, shall appoint individuals, in accordance with the requirements of paragraph (1), to all vacant positions of the Survivors Truth and Healing Subcommittee not later than 30 days after the date of the initial business meeting of the Commission under section 5101(c)(1).

(4) PERIOD OF APPOINTMENT; VACANCIES; REMOVAL.—

(A) PERIOD OF APPOINTMENT.—A member of the Survivors Truth and Healing Subcommittee shall be appointed for an automatically renewable term of 2 years.

(B) VACANCIES.—

(i) IN GENERAL.—A member of the Survivors Truth and Healing Subcommittee may self-vacate the position at any time and for any reason.

(ii) EFFECT; FILLING OF VACANCY.—A vacancy in the Survivors Truth and Healing Subcommittee—

(I) shall not affect the powers of the Survivors Truth and Healing Subcommittee if a simple majority of the positions of the Survivors Truth and Healing Subcommittee are filled; and

(II) shall be filled within 90 days in the same manner as was the original appointment.

(C) REMOVAL.—A quorum of members of the Commission may remove a member of the Survivors Truth and Healing Subcommittee only for neglect of duty or malfeasance.

(5) TERMINATION.—The Survivors Truth and Healing Subcommittee shall terminate 90 days after the date on which the Commission submits the final report required under section 5111(e)(3).

(6) LIMITATION.—No member of the Survivors Truth and Healing Subcommittee shall be an officer or employee of the Federal Government.

(c) BUSINESS MEETINGS.—

(1) INITIAL MEETING.—Not later 30 days after the date on which all members of the Survivors Truth and Healing Subcommittee are appointed under subsection (b)(1), the Survivors Truth and Healing Subcommittee shall hold an initial business meeting—

(A) to appoint—

(i) a Chairperson, who shall also serve as the Vice Chairperson of the Federal Truth and Healing Advisory Committee;

(ii) a Vice Chairperson, who shall also serve as the Vice Chairperson of the Native American Truth and Healing Advisory Committee; and

(iii) a Secretary;

(B) to establish, with the advice of the Commission, rules for the Survivors Truth and Healing Subcommittee;

(C) to appoint 3 designees to fulfill the responsibilities described in section 5101(h)(1)(A); and

(D) to appoint, with the advice of the Commission, 2 members of the Survivors Truth and Healing Subcommittee to serve as nonvoting designees on the Commission in accordance with section 5101(c)(3).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Survivors Truth and Healing subcommittee is held under paragraph (1), the Survivors Truth and Healing Subcommittee shall meet at the call of the Chairperson.

(3) FORMAT OF BUSINESS MEETINGS.—A business meeting of the Survivors Truth and Healing Subcommittee may be conducted in-person, virtually, or via phone.

(4) QUORUM REQUIRED.—A business meeting of the Survivors Truth and Healing Subcommittee may only be held once a quorum, established in accordance with subsection (d), is present.

(d) QUORUM.—A simple majority of the members of the Survivors Truth and Healing Subcommittee present shall constitute a quorum for a business meeting.

(e) RULES.—The Survivors Truth and Healing Subcommittee, with the advice of the Commission, may establish, by a majority vote, any rules for the conduct of business, in accordance with this section and other applicable law.

(f) DUTIES.—The Survivors Truth and Healing Subcommittee shall—

(1) assist the Commission, the Native American Truth and Healing Advisory Committee, and the Federal Truth and Healing Advisory Committee in coordinating public and private convenings, including—

(A) providing advice to the Commission on developing criteria and protocols for convenings; and

(B) providing advice and evaluating Committee recommendations relating to the commemoration and public education relating to Indian Boarding Schools and Indian Boarding School Policies; and

(2) provide advice to, or fulfill such other requests by, the Commission as the Commission may require to carry out the purposes described in section 5003.

(g) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Survivors Truth and Healing Subcommittee under subsection (f), the Survivors Truth and Healing Subcommittee shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(h) NONDISCLOSURE.—

(1) PRIVACY ACT OF 1974 APPLICABILITY.—Subsection (b) of section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), shall not apply to the Survivors Truth and Healing Subcommittee.

(2) FREEDOM OF INFORMATION ACT APPLICABILITY.—Records and other communications provided to, from, between, or within the Commission, the Federal Truth and Healing Advisory Committee, the Native American Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, and related agencies shall be exempt from disclosure under subsection (b)(3)(B) of section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

(3) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the ''Federal Advisory Committee Act''), shall not apply to the Survivors Truth and Healing Subcommittee.

(i) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—A member of the Survivors Truth and Healing Subcommittee shall be compensated at a daily equivalent of the annual rate of basic pay prescribed for grade 13 of the General Schedule under section 5332 of title 5, United States Code, for each day, not to exceed 14 days per month, for which a member of the Survivors Truth and Healing Subcommittee is engaged in the performance of their duties under this division, including the convening of meetings, including public and private meetings to receive testimony in furtherance of the duties of the Survivors Truth and Healing Subcommittee and the purposes of this division.

(2) TRAVEL EXPENSES.—A member of the Survivors Truth and Healing Subcommittee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Survivors Truth and Healing Subcommittee.

TITLE LII—ADVISORY COMMITTEES

Subtitle A—Native American Truth and Healing Advisory Committee

SEC. 5201. NATIVE AMERICAN TRUTH AND HEALING ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Commission shall establish an advisory committee, to be known as the ''Native American Truth and Healing Advisory Committee''.

(b) MEMBERSHIP, NOMINATION, AND APPOINTMENT TO THE NATIVE AMERICAN TRUTH AND HEALING ADVISORY COMMITTEE .—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Native American Truth and Healing Advisory Committee shall include 19 members, to be appointed by the Commission from among the nominees submitted under paragraph (2)(A), of whom—

(i) 1 shall be the Vice Chairperson of the Commission, who shall serve as the Chairperson of the Native American Truth and Healing Advisory Committee;

(ii) 1 shall be the Vice Chairperson of the Survivors Truth and Healing Subcommittee, who shall serve as the Vice Chairperson of the Native American Truth and Healing Advisory Committee;

(iii) 1 shall be the Secretary of the Interior, or a designee, who shall serve as the Secretary of the Native American Truth and Healing Advisory Committee;

(iv) 13 shall be representatives from each of the 12 regions of the Bureau of Indian Affairs and Hawai'i;

(v) 1 shall represent the National Native American Boarding School Healing Coalition;

(vi) 1 shall represent the National Association of Tribal Historic Preservation Officers; and

(vii) 1 shall represent the National Indian Education Association.

(B) ADDITIONAL REQUIREMENTS.—Not fewer than 2 members of the Native American Truth and Healing Advisory Committee shall have experience with health care or mental health, traditional healing or cultural practices, counseling, or working with survivors, or descendants of survivors, of Indian Boarding Schools to ensure that the Commission considers culturally responsive support for survivors, families, and communities.

(2) NOMINATIONS.—

(A) IN GENERAL.—Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations may submit to the Secretary of the Interior nominations for individuals to be appointed to the Native American Truth and Healing Advisory Committee not later than 90 days after the date of enactment of this Act.

(B) SUBMISSION.—The Secretary of the Interior shall provide the Commission with nominations submitted under subparagraph (A) at the initial business meeting of the Commission under section 5101(c)(1) and the Commission shall select the members of the Native American Truth and Healing Advisory Committee from among those nominees.

(3) DATE.—

(A) IN GENERAL.—The Commission shall appoint all members of the Native American Truth and Healing Advisory Committee during the initial business meeting of the Commission under section 5101(c)(1).

(B) FAILURE TO APPOINT.—If the Commission fails to appoint all members of the Native American Truth and Healing Advisory Committee in accordance with subparagraph (A), the Chair of the Committee on Indian Affairs of the Senate, with the concurrence of the Vice Chair of the Committee on Indian Affairs of the Senate, shall appoint, in accordance with the requirements of paragraph (1), individuals to all vacant positions of the Native American Truth and Healing Advisory Committee not later than 30 days after the date of the initial business meeting of the Commission under section 5101(c)(1).

(4) PERIOD OF APPOINTMENT; VACANCIES.—

(A) PERIOD OF APPOINTMENT.—A member of the Native American Truth and Healing Advisory Committee shall be appointed for an automatically renewable term of 2 years.

(B) VACANCIES.—A vacancy in the Native American Truth and Healing Advisory Committee—

(i) shall not affect the powers of the Native American Truth and Healing Advisory Committee if a simple majority of the positions of the Native American Truth and Healing Advisory Committee are filled; and

(ii) shall be filled within 90 days in the same manner as was the original appointment.

(5) TERMINATION.—The Native American Truth and Healing Advisory Committee shall terminate 90 days after the date on which the Commission submits the final report required under section 5111(e)(3).

(6) LIMITATION.—No member of the Native American Truth and Healing Advisory Committee (other than the member described in paragraph (1)(A)(iii)) shall be an officer or employee of the Federal Government.

(c) QUORUM.—A simple majority of the members of the Native American Truth and Healing Committee shall constitute a quorum.

(d) REMOVAL.—A quorum of members of the Native American Truth and Healing Committee may remove another member only for neglect of duty or malfeasance.

(e) BUSINESS MEETINGS.—

(1) INITIAL BUSINESS MEETING.—Not later than 30 days after the date on which all members of the Native American Truth and Healing Advisory Committee are appointed under subsection (b)(1)(A), the Native American Truth and Healing Advisory Committee shall hold an initial business meeting—

(A) to establish rules for the Native American Truth and Healing Advisory Committee;

(B) to appoint 3 designees to fulfill the responsibilities described in section 5101(h)(1)(A); and

(C) to appoint 2 members of the Native American Truth and Healing Advisory Committee to serve non-voting as designees on the Commission in accordance with section 5101(c)(3).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Native American Truth and Healing Advisory Committee is held under paragraph (1), the Native American Truth and Healing Advisory Committee shall meet at the call of the Chairperson.

(3) FORMAT OF BUSINESS MEETINGS.—A meeting of the Native American Truth and Healing Advisory Committee may be conducted in-person, virtually, or via phone.

(4) QUORUM REQUIRED.—A business meeting of the Native American Truth and Healing Advisory Committee may only be held once a quorum, established in accordance with subsection (c), is present.

(f) RULES.—The Native American Truth and Healing Advisory Committee may establish, with the advice of the Commission, by a majority vote, any rules for the conduct of business, in accordance with this section and other applicable law.

(g) DUTIES.—The Native American Truth and Healing Advisory Committee shall—

(1) serve as an advisory body to the Commission;

(2) assist the Commission in organizing and carrying out culturally appropriate public and private convenings relating to the duties of the Commission;

(3) assist the Commission in determining what documentation from Federal and religious organizations and institutions may be necessary to fulfill the duties of the Commission;

(4) assist the Commission in the production of the initial report and final report required under paragraphs (2) and (3), respectively, of section 5111(e);

(5) coordinate with the Federal Truth and Healing Advisory Committee and the Survivors Truth and Healing Subcommittee; and

(6) provide advice to, or fulfill such other requests by, the Commission as the Commission may require to carry out the purposes described in section 5003.

(h) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Native American Truth and Healing Advisory Committee under subsection (g), the Native American Truth and Healing Advisory Committee shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(i) NONDISCLOSURE.—

(1) PRIVACY ACT OF 1974 APPLICABILITY.—Subsection (b) of section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), shall not apply to the Native American Truth and Healing Advisory Committee.

(2) FREEDOM OF INFORMATION ACT APPLICABILITY.—Records and other communications provided to, from, between, or within the Commission, the Federal Truth and Healing Advisory Committee, the Native American Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, and related agencies shall be exempt from disclosure under subsection (b)(3)(B) of section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

(3) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the ''Federal Advisory Committee Act''), shall not apply to the Native American Truth and Healing Advisory Committee.

(j) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—A member of the Native American Truth and Healing Advisory Committee shall be compensated at a daily equivalent of the annual rate of basic pay prescribed for grade 13 of the General Schedule under section 5332 of title 5, United States Code, for each day, not to exceed 14 days per month, for which a member is engaged in the performance of their duties under this division, including the convening of meetings, including public and private meetings to receive testimony in furtherance of the duties of the Native American Truth and Healing Advisory Committee and the purposes of this division.

(2) TRAVEL EXPENSES.—A member of the Native American Truth and Healing Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Native American Truth and Healing Advisory Committee.

Subtitle B—Federal Truth and Healing Advisory Committee

SEC. 5211. FEDERAL TRUTH AND HEALING ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established within the Department of the Interior an advisory committee, to be known as the ''Federal Truth and Healing Advisory Committee''.

(b) MEMBERSHIP AND APPOINTMENT TO THE FEDERAL TRUTH AND HEALING ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—The Federal Truth and Healing Advisory Committee shall include 17 members, of whom—

(A) 1 shall be the Chairperson of the Commission, who shall serve as the Chairperson of the Federal Truth and Healing Advisory Committee;

(B) 1 shall be the Chairperson of the Survivors Truth and Healing Subcommittee, who shall serve as the Vice Chairperson of the Federal Truth and Healing Advisory Committee;

(C) 1 shall be the White House Domestic Policy Advisor, who shall serve as the Secretary of the Federal Truth and Healing Advisory Committee;

(D) 1 shall be the Director of the Bureau of Trust Funds Administration (or a designee);

(E) 1 shall be the Archivist of the United States (or a designee);

(F) 1 shall be the Librarian of Congress (or a designee);

(G) 1 shall be the Director of the Department of the Interior Library (or a designee);

(H) 1 shall be the Director of the Indian Health Service (or a designee);

(I) 1 shall be the Assistant Secretary for Mental Health and Substance Abuse of the Department of Health and Human Services (or a designee);

(J) 1 shall be the Commissioner of the Administration for Native Americans of the Department of Health and Human Services (or a designee);

(K) 1 shall be the Director of the National Institutes of Health (or a designee);

(L) 1 shall be the Senior Program Director of the Office of Native Hawaiian Relations of the Department of the Interior (or a designee);

(M) 1 shall be the Director of the Office of Indian Education of the Department of Education (or a designee);

(N) 1 shall be the Director of the Rural, Insular, and Native American Achievement Programs of the Department of Education (or a designee);

(O) 1 shall be the Chair of the Advisory Council on Historic Preservation (or a designee);

(P) 1 shall be the Assistant Secretary of Indian Affairs (or a designee); and

(Q) 1 shall be the Director of the Bureau of Indian Education (or a designee).

(2) PERIOD OF SERVICE; VACANCIES; REMOVAL.—

(A) PERIOD OF SERVICE.—A member of the Federal Truth and Healing Advisory Committee shall serve for an automatically renewable term of 2 years.

(B) VACANCIES.—A vacancy in the Federal Truth and Healing Advisory Committee—

(i) shall not affect the powers of the Federal Truth and Healing Advisory Committee if a simple majority of the positions of the Federal Truth and Healing Advisory Committee are filled; and

(ii) shall be filled within 90 days in the same manner as was the original appointment.

(C) REMOVAL.—A quorum of members of the Federal Truth and Healing Advisory Committee may remove a member of the

Federal Truth and Healing Advisory Committee only for neglect of duty or malfeasance.

(3) TERMINATION.—The Federal Truth and Healing Advisory Committee shall terminate 90 days after the date on which the Commission submits the final report required under section 5111(e)(3).

(c) BUSINESS MEETINGS.—

(1) INITIAL BUSINESS MEETING.—Not later than 30 days after the date of the initial business meeting of the Commission under section 5101(c)(1), the Federal Truth and Healing Advisory Committee shall hold an initial business meeting—

(A) to establish rules for the Federal Truth and Healing Advisory Committee; and

(B) to appoint 2 members of the Federal Truth and Healing Advisory Committee to serve as non-voting designees on the Commission in accordance with section 5101(c)(3).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Federal Truth and Healing Advisory Committee is held under paragraph (1), the Federal Truth and Healing Advisory Committee shall meet at the call of the Chairperson.

(3) FORMAT OF BUSINESS MEETINGS.—A business meeting of the Federal Truth and Healing Advisory Committee may be conducted in-person, virtually, or via phone.

(4) QUORUM REQUIRED.—A business meeting of the Federal Truth and Healing Advisory Committee may only be held once a quorum, established in accordance with subsection (d), is present.

(d) QUORUM.—A simple majority of the members of the Federal Truth and Healing Advisory Committee present shall constitute a quorum for a business meeting.

(e) RULES.—The Federal Truth and Healing Advisory Committee may establish, with the advice of the Commission, by a majority vote, any rules for the conduct of business, in accordance with this section and other applicable law.

(f) DUTIES.—The Federal Truth and Healing Advisory Committee shall—

(1) ensure the effective and timely coordination between Federal agencies in furtherance of the purposes of this division;

(2) assist the Commission and the Native American Truth and Healing Advisory Committee in coordinating—

(A) meetings and other related public and private convenings; and

(B) the collection, organization, and preservation of information obtained from witnesses and by other Federal agencies; and

(3) ensure the timely submission to the Commission of materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission.

(g) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Federal Truth and Healing Advisory Committee under subsection (f), the Federal Truth and Healing Advisory Committee shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(h) NONDISCLOSURE.—

(1) PRIVACY ACT OF 1974 APPLICABILITY.—Subsection (b) of section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974''), shall not apply to the Federal Truth and Healing Advisory Committee.

(2) FREEDOM OF INFORMATION ACT APPLICABILITY.—Records and other communications provided to, from, between, or within the Commission, the Federal Truth and Healing Advisory Committee, the Native American Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, and related agencies shall be exempt from disclosure under subsection (b)(3)(B) of section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

(3) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the ''Federal Advisory Committee Act''), shall not apply to the Federal Truth and Healing Advisory Committee.

TITLE LIII—GENERAL PROVISIONS

SEC. 5301. CLARIFICATION.

The Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) applies to cultural items relating to an Indian Boarding School or Indian Boarding School Policies, regardless of agency interpretation of applicability.

SEC. 5302. BURIAL MANAGEMENT.

Federal agencies shall permit reburial of cultural items relating to an Indian Boarding School or Indian Boarding School Policies that have been repatriated pursuant to the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or returned to a lineal descendant, Indian Tribe, or Native Hawaiian organization by any other disinterment process, on any Federal land as agreed to by the relevant parties.

SEC. 5303. CO-STEWARDSHIP AGREEMENTS.

A Federal agency that carries out activities pursuant to this division or that created or controls a cemetery or burial site with remains of an individual who attended an Indian Boarding School or an Indian Boarding School may enter into a co-stewardship agreement for the management of the cemetery, burial site, or Indian Boarding School.

SEC. 5304. NO RIGHT OF ACTION.

Nothing in this division creates a private right of action to seek administrative or judicial relief.

SA 2242. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1239. PROMOTING DEMOCRACY AND PROSPERITY IN THE WESTERN BALKANS.—

(a) SHORT TITLE.—This section may be cited as the ''Western Balkans Democracy and Prosperity Act''.

(b) FINDINGS.—Congress finds the following:

(1) The Western Balkans countries (the Republic of Albania, Bosnia and Herzegovina, the Republic of Croatia, the Republic of Kosovo, Montenegro, the Republic of North Macedonia and the Republic of Serbia) form a pluralistic, multi-ethnic region in the heart of Europe that is critical to the peace, stability, and prosperity of that continent.

(2) Continued peace, stability, and prosperity in the Western Balkans is directly tied to the opportunities for democratic and economic advancement available to the citizens and residents of those seven countries.

(3) It is in the mutual interest of the United States and the seven countries of the Western Balkans to promote stable and sustainable economic growth and development in the region.

(4) The reforms and integration with the European Union pursued by countries in the Western Balkans have led to significant democratic and economic progress in the region.

(5) Despite economic progress, rates of poverty and unemployment in the Western Balkans remain higher than in neighboring European Union countries.

(6) Out-migration, particularly of youth, is affecting demographics in each Western Balkans country, resulting in population decline in all seven countries.

(7) Implementing critical economic and governance reforms could help enable investment and employment opportunities in the Western Balkans, especially for youth, and can provide powerful tools for economic development and for encouraging broader participation in a political process that increases trade and prosperity for all.

(8) Existing regional economic efforts, such as the Common Regional Market, the Berlin Process, and the Open Balkan Initiative, could have the potential to improve the economic conditions in the Western Balkans, while promoting inclusion and transparency.

(9) The Department of Commerce, through its Foreign Commercial Service, plays an important role in promoting and facilitating opportunities for United States trade and investment.

(10) Corruption, including among key political leaders, continues to plague the Western Balkans and represents one of the greatest impediments to further economic and political development in the region.

(11) Disinformation campaigns targeting the Western Balkans undermine the credibility of its democratic institutions, including the integrity of its elections.

(12) Vulnerability to cyberattacks or attacks on information and communication technology infrastructure increases risks to the functioning of government and the delivery of public services.

(13) The Department of State, along with other Federal agencies, plays a critical role in defending the national security interests of the United States, including by deploying cyber hunt forward teams at the request of partner nations to reinforce their cyber defenses.

(14) Securing domestic and international cyber networks and ICT infrastructure is a national security priority for the United States, which is exemplified by offices and programs across the Federal Government that support cybersecurity.

(15) Corruption and disinformation proliferate in political environments marked by autocratic control or partisan conflict.

(16) Dependence on Russian sources of fossil fuels and natural gas for the countries of the Western Balkans ties their economies and politics to the Russian Federation and inhibits their aspirations for European integration.

(17) Reducing the reliance of the Western Balkans on Russian natural gas supplies and fossil fuels is in the national interest of the United States.

(18) The growing influence of China in the Western Balkans could also have a deleterious impact on strategic competition, democracy, and economic integration with Europe.

(19) In March 2022, President Biden launched the European Democratic Resilience Initiative to bolster democratic resilience, advance anti-corruption efforts, and defend human rights in Ukraine and its neighbors in response to Russia's war of aggression.

(20) The parliamentary and local elections held in Serbia on December 17, 2023, and their immediate aftermath are cause for

deep concern about the state of Serbia's democracy, including due to the final report of the Organization for Security and Co-operation in Europe's Office for Democratic Institutions and Human Rights, which—

(A) found ''unjust conditions'' for the election;

(B) found ''numerous procedural deficiencies, including inconsistent application of safeguards during voting and counting, frequent instances of overcrowding, breaches in secrecy of the vote, and numerous instances of group voting''; and

(C) asserted that ''voting must be repeated'' in certain polling stations.

(21) The Organization for Security and Cooperation in Europe also noted that Serbian officials accused primarily peaceful protestors, opposition parties, and civil society of ''attempting to destabilize the government'', a concerning allegation that threatens the safety of important elements of Serbian society.

(22) Democratic countries whose values are in alignment with the United States make for stronger and more durable partnerships.

(c) SENSE OF CONGRESS.—It is a sense of Congress that the United States should—

(1) encourage increased trade and investment between the United States and allies and partners in the Western Balkans;

(2) expand United States assistance to regional integration efforts in the Western Balkans;

(3) strengthen and expand regional economic integration in the Western Balkans, especially enterprises owned by and employing women and youth;

(4) work with allies and partners committed to improving the rule of law, energy resource diversification, democratic and economic reform, and the reduction of poverty in the Western Balkans;

(5) increase United States trade and investment with the Western Balkans, particularly in ways that support countries' efforts—

(A) to decrease dependence on Russian energy sources and fossil fuels;

(B) to increase energy diversification, efficiency, and conservation; and

(C) to facilitate the transition to cleaner and more reliable sources of energy, including renewables, as appropriate;

(6) continue to assist in the development, within the Western Balkans, of—

(A) strong civil societies;

(B) public-private partnerships;

(C) independent media;

(D) transparent, accountable, citizen-responsive governance, including equal representation for women and youth;

(E) political stability; and

(F) modern, free-market based economies.

(7) support the expeditious accession of those Western Balkans countries that are not already members to the European Union and to the North Atlantic Treaty Organization (referred to in this section as ''NATO'') for countries that desire and are eligible for such membership;

(8) support—

(A) maintaining the full European Union Force (EUFOR) mandate in Bosnia and Herzegovina as being in the national security interests of the United States;

(B) encouraging NATO and the European Union to review their mission mandates and posture in Bosnia and Herzegovina to ensure they are playing a proactive role in establishing a safe and secure environment, particularly in the realm of defense;

(C) working within NATO to encourage contingency planning for an international military force to maintain a safe and secure environment in Bosnia and Herzegovina, especially if Russia blocks reauthorization of the mission in the United Nations; and

(D) a strengthened NATO headquarters in Sarajevo;

(9) continue to support the European Union membership aspirations of Albania, Bosnia and Herzegovina, Kosovo, North Macedonia, Montenegro, and Serbia by supporting meeting the benchmarks required for their accession;

(10) continue to support the overarching mission of the Berlin Process and locally-driven initiatives that are inclusive of all Western Balkans countries and remains aligned with the objectives and standards laid out by the European Union as requirements for accession to the European Union;

(11) continue to support the cultural heritage, and recognize the languages, of the Western Balkans;

(12) coordinate closely with the European Union, the United Kingdom, and other allies and partners on sanctions designations in Western Balkans countries and work to align efforts as much as possible to demonstrate a clear commitment to upholding democratic values;

(13) expand bilateral security cooperation with non-NATO member Western Balkans countries, particularly efforts focused on regional integration and cooperation, including through the Adriatic Charter, which was launched at Tirana on May 2, 2003;

(14) increase efforts to combat Russian malign influence campaigns and any other destabilizing or disruptive activities targeting the Western Balkans through engagement with government institutions, political stakeholders, journalists, civil society organizations, and industry leaders;

(15) develop a series of cyber resilience standards, consistent with the Enhanced Cyber Defence Policy and Readiness Action Plan endorsed at the 2014 Wales Summit of the North Atlantic Treaty Organization to expand cooperation with partners and allies, including in the Western Balkans, on cyber security and ICT infrastructure;

(16) articulate clearly and unambiguously the United States commitment to supporting democratic values and respect for international law as the sole path forward for the countries of the Western Balkans; and

(17) prioritize partnerships and programming with Western Balkan countries that demonstrate commitment toward strengthening their democracies and show respect for human rights.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(2) ICT.—The term ''ICT'' means information and communication technology.

(3) WESTERN BALKANS.—The term ''Western Balkans'' means the region comprised of the following countries:

(A) The Republic of Albania.

(B) Bosnia and Herzegovina.

(C) The Republic of Croatia.

(D) The Republic of Kosovo.

(E) Montenegro.

(F) The Republic of North Macedonia.

(G) The Republic of Serbia.

(4) WESTERN BALKANS COUNTRY.—The term ''Western Balkans country'' means any country listed in subparagraphs (A) through (G) of paragraph (3).

(e) CODIFICATION OF SANCTIONS RELATING TO THE WESTERN BALKANS.—

(1) IN GENERAL.—Each person listed or designated for the imposition of sanctions under an executive order described in paragraph (3) as of the date of the enactment of this Act shall remain so designated, except as provided in paragraphs (4) and (5).

(2) CONTINUATION OF SANCTIONS AUTHORITIES.—Each authority to impose sanctions provided for under an executive order described in paragraph (3) shall remain in effect.

(3) EXECUTIVE ORDERS SPECIFIED.—The executive orders specified in this paragraph are—

(A) Executive Order 13219, as amended by Executive Order 13304 (50 U.S.C. 1701 note; relating to blocking property of persons who threaten international stabilization efforts in the Western Balkans); and

(B) Executive Order 14033 (50 U.S.C. 1701 note; relating to blocking property and suspending entry into the United States of certain persons contributing to the destabilizing situation in the Western Balkans), as in effect on such date of enactment.

(4) TERMINATION OF SANCTIONS.—The President may terminate the application of a sanction described in paragraph (1) with respect to a person if the President certifies to the appropriate congressional committees that such person—

(A) has not engaged in the activity that was the basis for such sanctions, if applicable, during the two-year period immediately preceding such termination date; or

(B) otherwise no longer meets the criteria that was the basis for such sanctions.

(5) WAIVER.—

(A) IN GENERAL.—The President may waive the application of sanctions under this subsection for renewable periods not to exceed 180 days if the President—

(i) determines that such a waiver is in the national security interests of the United States; and

(ii) not less than 15 days before the granting of the waiver, submits to the appropriate congressional committees a notice of and justification for the waiver.

(B) FORM.—The waiver described in subparagraph (A) may be transmitted in classified form.

(6) EXCEPTIONS.—

(A) HUMANITARIAN ASSISTANCE.—Sanctions under this subsection shall not apply to—

(i) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, humanitarian assistance, or for humanitarian purposes; or

(ii) transactions that are necessary for, or related to, the activities described in clause (i).

(B) COMPLIANCE WITH INTERNATIONAL OBLIGATIONS AND LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to an alien if admitting or paroling such alien is necessary—

(i) to comply with United States obligations under—

(I) the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947;

(II) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967; or

(III) any other international agreement; or

(ii) to carry out or assist law enforcement activity in the United States.

(C) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to—

(i) any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(ii) any authorized intelligence activities of the United States.

(D) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(i) IN GENERAL.—The requirement to block and prohibit all transactions in all property and interests in property under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(ii) DEFINED TERM.—In this subparagraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(7) RULEMAKING.—The President is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this section (which may include regulatory exceptions), including under section 205 of the International Emergency Economic Powers Act (50 U.S.C. 1704)).

(8) SUNSET.—This subsection shall cease to have force or effect beginning on the date that is 8 years after the date of the enactment of this Act.

(f) DEMOCRATIC AND ECONOMIC DEVELOPMENT AND PROSPERITY INITIATIVES.—

(1) ANTI-CORRUPTION INITIATIVE.—The Secretary of State, through ongoing and new programs, shall develop an initiative that—

(A) seeks to expand technical assistance in each Western Balkans country, taking into account local conditions and contingent on the agreement of the host country government to develop new national anti-corruption strategies;

(B) seeks to share best practices with, and provide training to, civilian law enforcement agencies and judicial institutions, and other relevant administrative bodies, of the Western Balkans countries, to improve the efficiency, transparency, and accountability of such agencies and institutions;

(C) strengthens existing national anti-corruption strategies—

(i) to combat political corruption, particularly in the judiciary, independent election oversight bodies, and public procurement processes; and

(ii) to strengthen regulatory and legislative oversight of critical governance areas, such as freedom of information and public procurement, including by strengthening cyber defenses and ICT infrastructure networks;

(D) includes the Western Balkans countries in the European Democratic Resilience Initiative of the Department of State, or any equivalent successor initiative, and considers the Western Balkans as a recipient of anti-corruption funding for such initiative; and

(E) seeks to promote the important role of an independent media in countering corruption through engagements with governments of Western Balkan countries and providing training opportunities for journalists on investigative reporting.

(2) PRIORITIZING CYBER RESILIENCE, REGIONAL TRADE, AND ECONOMIC COMPETITIVENESS.—

(A) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) promoting stronger economic, civic, and political relationships among Western Balkans countries will enable countries to better utilize existing resources and maximize their economic security and democratic resilience by reinforcing cyber defenses and increasing trade in goods and services among other countries in the region; and

(ii) United States investments in and assistance toward creating a more integrated region ensures political stability and security for the region.

(B) 5-YEAR STRATEGY FOR ECONOMIC DEVELOPMENT AND DEMOCRATIC RESILIENCE IN WESTERN BALKANS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development, in coordination with the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees a regional economic development and democratic resilience strategy for the Western Balkans that complements the efforts of the European Union, European nations, and other multilateral financing institutions—

(i) to consider the full set of tools and resources available from the relevant agencies;

(ii) to include efforts to ensure coordination with multilateral and bilateral partners, such as the European Union, the World Bank, and other relevant assistance frameworks;

(iii) to include an initial public assessment of—

(I) economic opportunities for which United States businesses, or those of other like-minded partner countries, would be competitive;

(II) legal, economic, governance, infrastructural, or other barriers limiting United States trade and investment in the Western Balkans;

(III) the effectiveness of all existing regional cooperation initiatives, such as the Open Balkan initiative and the Western Balkans Common Regional Market; and

(IV) ways to increase United States trade and investment within the Western Balkans;

(iv) to develop human and institutional capacity and infrastructure across multiple sectors of economies, including clean energy, energy efficiency, agriculture, small and medium-sized enterprise development, health, and cyber-security;

(v) to assist with the development and implementation of regional and international trade agreements;

(vi) to support women-owned enterprises;

(vii) to promote government and civil society policies and programs that combat corruption and encourage transparency (including by supporting independent media by promoting the safety and security of journalists), free and fair competition, sound governance, judicial reform, environmental stewardship, and business environments conducive to sustainable and inclusive economic growth; and

(viii) to include a public diplomacy strategy that describes the actions that will be taken by relevant agencies to increase support for the United States relationship by citizens of Western Balkans countries.

(C) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall provide a briefing to the appropriate congressional committees that describes the progress made towards developing the strategy required under subparagraph (B).

(3) REGIONAL TRADE AND DEVELOPMENT INITIATIVE.—

(A) AUTHORIZATION.—The Secretary of State and the Administrator of the United States Agency for International Development, in coordination with the heads of other relevant Federal departments and agencies, may coordinate a regional trade and development initiative for the region comprised of each Western Balkans country and any European Union member country that shares a border with a Western Balkans country (referred to in this subsection as the ''Western Balkans region'') in accordance with this paragraph.

(B) INITIATIVE ELEMENTS.—The initiative authorized under subparagraph (A) shall—

(i) promote private sector growth and competitiveness and increase the capacity of businesses, particularly small and medium-sized enterprises, in the Western Balkans region;

(ii) aim to increase intraregional exports to countries in the Balkans and European Union member states;

(iii) aim to increase United States exports to, and investments in, countries in the Balkans;

(iv) support startup companies, including companies led by youth or women, in the Western Balkans region by—

(I) providing training in business skills and leadership; and

(II) providing opportunities to connect to sources of capital;

(v) encourage and promote inward and outward trade and investment through engagement with the Western Balkans diaspora communities in the United States and abroad;

(vi) provide assistance to the governments and civil society organizations of Western Balkans countries to develop—

(I) regulations to ensure fair and effective investment; and

(II) screening tools to identify and deter malign investments and other coercive economic practices;

(vii) review existing assistance programming relating to the Western Balkans across Federal agencies—

(I) to eliminate duplication; and

(II) to identify areas of potential coordination within the Western Balkans region;

(viii) identify areas where application of additional resources could expand successful programs to 1 or more countries in the Western Balkans region by building on the existing experience and program architecture;

(ix) compare existing single-country sector analyses to determine areas of focus that would benefit from a regional approach with respect to the Western Balkans region; and

(x) promote intraregional trade throughout the Western Balkans region through—

(I) programming, including grants, cooperative agreements, and other forms of assistance;

(II) expanding awareness of the availability of loans and other financial instruments from the United States Government; and

(III) coordinating access to existing trade instruments available through allies and partners in the Western Balkans region, including the European Union and international financial institutions.

(C) SUPPORT FOR REGIONAL INFRASTRUCTURE PROJECTS.—The initiative authorized under subparagraph (A) should facilitate and prioritize support for regional infrastructure projects, including—

(i) transportation projects that build roads, bridges, railways and other physical infrastructure to facilitate travel of goods and people throughout the Western Balkans region;

(ii) technical support and investments needed to meet United States and European Union standards for air travel, including screening and information sharing;

(iii) the development of telecommunications networks with trusted providers;

(iv) infrastructure projects that connect Western Balkans countries to each other and to countries with which they share a border;

(v) the effective analysis of tenders and transparent procurement processes;

(vi) investment transparency programs that will help countries in the Western Balkans analyze gaps and establish institutional and regulatory reforms necessary—

(I) to create an enabling environment for trade and investment; and

(II) to strengthen protections against suspect investments through public procurement and privatization and through foreign direct investments;

(vii) sharing best practices learned from the United States and other international partners to ensure that institutional and regulatory mechanisms for addressing these issues are fair, nonarbitrary, effective, and free from corruption;

(viii) projects that support regional energy security and reduce dependence on Russian energy;

(ix) technical assistance and generating private investment in projects that promote connectivity and energy-sharing in the Western Balkans region;

(x) technical assistance to support regional collaboration on environmental protection that includes governmental, political, civic, and business stakeholders; and

(xi) technical assistance to develop financing options and help create linkages with potential financing institutions and investors.

(D) REQUIREMENTS.—All programming under the initiative authorized under subparagraph (A) shall—

(i) be open to the participation of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia;

(ii) be consistent with European Union accession requirements;

(iii) be focused on retaining talent within the Western Balkans;

(iv) promote government policies in Western Balkans countries that encourage free and fair competition, sound governance, environmental protection, and business environments that are conducive to sustainable and inclusive economic growth; and

(v) include a public diplomacy strategy to inform local and regional audiences in the Western Balkans region about the initiative, including specific programs and projects.

(4) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—

(A) APPOINTMENTS.—Not later than 1 year after the date of the enactment of this Act, subject to the availability of appropriations, the Chief Executive Officer of the United States International Development Finance Corporation, in collaboration with the Secretary of State, should consider including a regional office with responsibilities for the Western Balkans within the Corporation's plans to open new regional offices.

(B) JOINT REPORT.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States International Development Finance Corporation and the Administrator of the United States Agency for International Development shall submit a joint report to the appropriate congressional committees that includes—

(i) an assessment of the benefits of providing sovereign loan guarantees to countries in the Western Balkans to support infrastructure and energy diversification projects;

(ii) an outline of additional resources, such as tools, funding, and personnel, which may be required to offer sovereign loan guarantees in the Western Balkans; and

(iii) an assessment of how the United States International Development Finance Corporation can deploy its insurance products in support of bonds or other instruments issued to raise capital through United States financial markets in the Western Balkans.

(g) PROMOTING CROSS-CULTURAL AND EDUCATIONAL ENGAGEMENT.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) promoting partnerships between United States universities and universities in the Western Balkans, particularly universities in traditionally under-served communities, advances United States foreign policy goals and requires a whole-of-government approach, including the utilization of public-private partnerships;

(B) such university partnerships would provide opportunities for exchanging academic ideas, technical expertise, research, and cultural understanding for the benefit of the United States; and

(C) the seven countries in the Western Balkans meet the requirements under section 105(c)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151c(c)(4)).

(2) UNIVERSITY PARTNERSHIPS.—The President, working through the Secretary of State, is authorized to provide assistance, consistent with section 105 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151c), to promote the establishment of partnerships between United States universities and universities in the Western Balkans, including—

(A) supporting research and analysis on foreign policy, cyber resilience, and disinformation;

(B) working with partner governments to reform policies, improve curricula, strengthen data systems, train teachers and students, including English language teaching, and to provide quality, inclusive learning materials;

(C) encouraging knowledge exchanges to help provide individuals, particularly at-risk youth, women, people with disabilities, and other vulnerable, marginalized, or underserved communities, with relevant education, training, and skills for meaningful employment;

(D) promoting teaching and research exchanges between institutions of higher education in the Western Balkans and in the United States; and

(E) encouraging alliances and exchanges with like-minded institutions of education within the Western Balkans and the larger European continent.

(h) PEACE CORPS IN THE WESTERN BALKANS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Peace Corps, whose mission is to promote world peace and friendship, in part by helping the people of interested countries in meeting their need for trained men and women, provides an invaluable opportunity to connect the people of the United States with the people of the Western Balkans.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Peace Corps should submit a report to the appropriate congressional committees that includes an analysis of current opportunities for Peace Corps expansion in the Western Balkans region.

(i) YOUNG BALKAN LEADERS INITIATIVE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that regular people-to-people exchange programs that bring religious leaders, journalists, civil society members, politicians, and other individuals from the Western Balkans to the United States will strengthen existing relationships and advance United States interests and shared values in the Western Balkans region.

(2) BOLD LEADERSHIP PROGRAM FOR YOUNG BALKANS LEADERS.—

(A) SENSE OF CONGRESS.—The Department of State, through BOLD, a leadership program for young leaders in certain Western Balkans countries, plays an important role to develop young leaders in improving civic engagement and economic development in Bosnia and Herzegovina, Serbia, and Montenegro.

(B) EXPANSION.—BOLD should be expanded, subject to the availability of appropriations, to the entire Western Balkans region.

(3) AUTHORIZATION.—The Secretary of State should further develop and implement BOLD, which shall hereafter be known as the ''Young Balkan Leaders Initiative'', to promote educational and professional development for young adult leaders and professionals in the Western Balkans who have demonstrated a passion to contribute to the continued development of the Western Balkans region.

(4) CONDUCT OF INITIATIVE.—The goals of the Young Balkan Leaders Initiative shall be—

(A) to further build the capacity of young Balkan leaders in the Western Balkans in the areas of business and information technology, cyber security and digitization, agriculture, civic engagement, and public administration;

(B) to support young Balkan leaders by offering professional development, training, and networking opportunities, particularly in the areas of leadership, innovation, civic engagement, elections, human rights, entrepreneurship, good governance, public administration, and journalism;

(C) to support young political, parliamentary, and civic Balkan leaders in collaboration on regional initiatives related to good governance, environmental protection, government ethics, and minority inclusion;

(D) to provide increased economic and technical assistance to young Balkan leaders to promote economic growth and strengthen ties between businesses, investors, and entrepreneurs in the United States and in Western Balkans countries;

(E) to tailor such assistance to advance the particular objectives of each United States mission in the Western Balkans within the framework outlined in this subsection; and

(F) to secure funding for such assistance from existing funds available to each United States Mission in the Western Balkans.

(5) FELLOWSHIPS.—Under the Young Balkan Leaders Initiative, the Secretary of State shall award fellowships to young leaders from the Western Balkans who—

(A) are between 18 and 35 years of age;

(B) have demonstrated strong capabilities in entrepreneurship, innovation, public service, and leadership;

(C) have had a positive impact in their communities, organizations, or institutions, including by promoting cross-regional and multiethnic cooperation; and

(D) represent a cross-section of geographic, gender, political, and cultural diversity.

(6) PUBLIC ENGAGEMENT AND LEADERSHIP CENTER.—Under the Young Balkan Leaders Initiative, the Secretary of State shall take advantage of existing and future public diplomacy facilities (commonly known as ''American Spaces'') to hire staff and develop programming for the establishment of a flagship public engagement and leadership center in the Western Balkans that seeks—

(A) to counter disinformation and malign influence;

(B) to promote cross-cultural engagement;

(C) to provide training for young leaders from Western Balkans countries described in paragraph (5);

(D) to harmonize the efforts of existing venues throughout Western Balkans countries established by the Office of American Spaces; and

(E) to annually bring together participants from the Young Balkans Leaders Initiative to provide platforms for regional networking.

(7) BRIEFING ON CERTAIN EXCHANGE PROGRAMS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall provide a briefing to the appropriate congressional committees that describes the status of exchange programs involving the Western Balkans region.

(B) ELEMENTS.—The briefing required under subparagraph (A) shall—

(i) assess the factors constraining the number and frequency of participants from Western Balkans countries in the International Visitor Leadership Program of the Department of State;

(ii) identify the resources that are necessary to address the factors described in clause (i); and

(iii) describe a strategy for connecting alumni and participants of professional development exchange programs of the Department of State in the Western Balkans with alumni and participants from other countries in Europe, to enhance inter-region and intra-region, people-to-people ties.

(j) SUPPORTING CYBERSECURITY AND CYBER RESILIENCE IN THE WESTERN BALKANS.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) United States support for cybersecurity, cyber resilience, and secure ICT infrastructure in Western Balkans countries will strengthen the region's ability to defend itself from and respond to malicious cyber activity conducted by nonstate and foreign actors, including foreign governments, that seek to influence the region;

(B) insecure ICT networks that are vulnerable to manipulation can increase opportunities for—

(i) the compromise of cyber infrastructure, including data networks, electronic infrastructure, and software systems; and

(ii) the use of online information operations by adversaries and malign actors to undermine United States allies and interests; and

(C) it is in the national security interest of the United States to support the cybersecurity and cyber resilience of Western Balkans countries.

(2) INTERAGENCY REPORT ON CYBERSECURITY AND THE DIGITAL INFORMATION ENVIRONMENT IN WESTERN BALKANS COUNTRIES.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in coordination with the heads of other relevant Federal agencies, shall submit a report to the appropriate congressional committees that contains—

(A) an overview of interagency efforts to strengthen cybersecurity and cyber resilience in Western Balkans countries;

(B) a review of the information environment in each Western Balkans country;

(C) a review of existing United States Government cyber and digital initiatives that—

(i) counter influence operations and safeguard elections and democratic processes in Western Balkans countries;

(ii) strengthen ICT infrastructure and cybersecurity capacity in the Western Balkans;

(iii) support democracy and internet freedom in Western Balkans countries; and

(iv) build cyber capacity of governments who are allies or partners of the United States;

(D) an assessment of cyber threat information sharing between the United States and Western Balkans countries;

(E) an assessment of—

(i) options for the United States to better support cybersecurity and cyber resilience in Western Balkans countries through changes to current assistance authorities; and

(ii) the advantages or limitations, such as funding or office space, of posting cyber professionals from other Federal departments and agencies to United States diplomatic posts in Western Balkans countries and providing relevant training to Foreign Service Officers; and

(F) any additional support needed from the United States for the cybersecurity and cyber resilience of the following NATO Allies: Albania, Montenegro, North Macedonia, and Croatia.

(k) RELATIONS BETWEEN KOSOVO AND SERBIA.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Agreement on the Path to Normalization of Relations, which was agreed to by Kosovo and Serbia on February 27, 2023, with the facilitation of the European Union, is a positive step forward in advancing normalization between the two countries;

(B) Serbia and Kosovo should seek to make immediate progress on the Implementation Annex to the agreement referred to in subparagraph (A);

(C) once sufficient progress has been made on the Implementation Annex, the United States should consider advancing initiatives to strengthen bilateral relations with both countries, which could include—

(i) establishing bilateral strategic dialogues with Kosovo and Serbia; and

(ii) advancing concrete initiatives to deepen trade and investment with both countries; and

(D) the United States should continue to support a comprehensive final agreement between Kosovo and Serbia based on mutual recognition.

(2) STATEMENT OF POLICY.—It is the policy of the United States Government that—

(A) it shall not pursue any policy that advocates for land swaps, partition, or other forms of redrawing borders along ethnic lines in the Western Balkans as a means to arbitrate disputes between nation states in the region; and

(B) it should support pluralistic democracies in countries in the Western Balkans as a means to prevent a return to the ethnic strife that once characterized the region.

(l) REPORTS ON RUSSIAN AND CHINESE MALIGN INFLUENCE OPERATIONS AND CAMPAIGNS IN THE WESTERN BALKANS.—

(1) REPORTS REQUIRED..—Not later than 180 days after the date of the enactment of this Act, and every two years thereafter, the Secretary of State, in coordination with the heads of other Federal departments or agencies, as appropriate, shall submit a report to the appropriate congressional committees regarding Russian and Chinese malign influence operations and campaigns carried out with respect to Balkan countries that seek—

(A) to undermine democratic institutions;

(B) to promote political instability; and

(C) to harm the interests of the United States and other North Atlantic Treaty Organization member and partner states in the Western Balkans.

(2) ELEMENTS.—Each report submitted pursuant to paragraph (1) shall include—

(A) an assessment of the objectives of the Russian Federation and the People's Republic of China regarding malign influence operations and campaigns carried out with respect to Western Balkans countries—

(i) to undermine democratic institutions, including the planning and execution of democratic elections;

(ii) to promote political instability; and

(iii) to manipulate the information environment;

(B) the activities and roles of the Department of State and other relevant Federal agencies in countering Russian and Chinese malign influence operations and campaigns;

(C) a comprehensive list identifying—

(i) each network, entity and individual, to the extent such information is available, of Russia, China, or any other country with which Russia or China may cooperate, that is supporting such Russian or Chinese malign influence operations or campaigns, including the provision of financial or operational support to activities in a Western Balkans country that may limit freedom of speech or create barriers of access to democratic processes, including exercising the right to vote in a free and fair election; and

(ii) the role of each such entity in providing such support;

(D) the identification of the tactics, techniques, and procedures used in Russian or Chinese malign influence operations and campaigns in Western Balkans countries;

(E) an assessment of the effect of previous Russian or Chinese malign influence operations and campaigns that targeted alliances and partnerships of the United States Armed Forces in the Western Balkans, including the effectiveness of such operations and campaigns in achieving the objectives of Russia and China, respectively;

(F) the identification of each Western Balkans country with respect to which Russia or China has conducted or attempted to conduct a malign influence operation or campaign;

(G) an assessment of the capacity and efforts of NATO and of each individual Western Balkans country to counter Russian or Chinese malign influence operations and campaigns carried out with respect to Western Balkans countries;

(H) the efforts by the United States to combat such malign influence operations in the Western Balkans, including through the Countering Russian Influence Fund and the Countering People's Republic of China Malign Influence Fund;

(I) an assessment of the tactics, techniques, and procedures that the Secretary of State determines are likely to be used in future Russian or Chinese malign influence operations and campaigns carried out with respect to Western Balkans countries; and

(J) any additional authorities, resources, or activities that could increase the United States Government's capacity to counter Russian and Chinese malign influence operations and campaigns in Western Balkans countries.

(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

SA 2243. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—Belarus Democracy, Human Rights, and Sovereignty

SEC. ____01. SHORT TITLE.

This subtitle may be cited as the ''Belarus Democracy, Human Rights, and Sovereignty Act of 2024''.

SEC. ____02. FINDINGS.

Section 2 of the Belarus Democracy Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note) is amended to read as follows:

''SEC. 2. FINDINGS.

''Congress finds the following:

''(1) Consistently, Alyaksandr Lukashenka, the illegitimate leader of Belarus, engages in a pattern of clear and persistent violations of human rights, democratic governance, and fundamental freedoms.

''(2) Alyaksandr Lukashenka has overseen and participated in multiple fundamentally flawed presidential and parliamentary elections undermining the legitimacy of executive, judicial, and legislative authority in Belarus.

''(3) On August 9, 2020, the Government of Belarus conducted a presidential election that was fraudulent and did not meet international standards. There were serious irregularities with ballot counting and the reporting of election results. The Government of Belarus also put in place restrictive measures that impeded the work of local independent observers and did not provide sufficient notice to the OSCE to allow for the OSCE to monitor the elections, as is customary.

''(4) Independent election monitors recognized Sviatlana Tsikhanouskaya as the legitimate winner of the August 9, 2020 election for president in Belarus following her candidacy after her husband, opposition leader Sergei Tikhanovsky, was imprisoned for challenging Lukashenka for president in 2020.

''(5) Following threats to her safety, Sviatlana Tsikhanouskaya was forced into exile in Lithuania after Mr. Lukashenka claimed victory in the fraudulent 2020 elections, and since that time, the Government of Lithuania has hosted the Office of Sviatlana Tsikhanouskaya, the Belarusian Democratic Leader, and the Government of Poland has hosted the Belarusian United Transitional Cabinet.

''(6) Thousands of employees at Belarusian state-owned enterprises went on strike across the country to protest Mr. Lukashenka's illegitimate election and the subsequent crackdowns on peaceful protestors to the contested results of the election, including at some of Belarus's largest factories such as the BelAZ truck plant, the Minsk Tractor Works, and the Minsk Automobile Plant.

''(7) After the August 9, 2020, presidential election, the Government of Belarus restricted the free flow of information to silence the opposition and to conceal the regime's violent crackdown on peaceful protestors, including by stripping the accreditation of journalists from major foreign news outlets, disrupting internet access, limiting access to social media and other digital communication platforms, and detaining and harassing countless journalists.

''(8) The Government of Belarus, led by Alyaksandr Lukashenka, continues to subject thousands of pro-democracy political activists and peaceful protesters to harassment, beatings, enforced disappearance, and imprisonment, particularly as a result of their attempts to peacefully exercise their right to freedom of assembly and association, including following violent crackdowns on peaceful protestors and mass detentions of peaceful protesters resisting the results of the contested 2020 election.

''(9) Women serve as the leading force in demonstrations across the country, protesting police brutality and mass detentions by wearing white, carrying flowers, forming 'solidarity chains', and unmasking undercover police trying to arrest demonstrators.

''(10) The Government of Belarus, led by Alyaksandr Lukashenka, suppresses independent media and journalists and restricts access to the internet, including social media and other digital communication platforms, in violation of the right to freedom of speech and expression of those dissenting from the dictatorship of Alyaksandr Lukashenka.

''(11) The Government of Belarus, led by Alyaksandr Lukashenka, has criminalized access to independent media sources and media channels, including foreign media, by designating such sources and channels as extremist and conducting arbitrary arrests and detainments of media workers, activists, and users.

''(12) The Government of Belarus, led by Alyaksandr Lukashenka, continues a systematic campaign of harassment, repression, and closure of nongovernmental organizations, including independent trade unions and entrepreneurs, creating a climate of fear that inhibits the development of civil society and social solidarity.

''(13) The Government of Belarus, led by Alyaksandr Lukashenka, has pursued a policy undermining the country's sovereignty and independence by making Belarus political, economic, cultural, and societal interests subservient to those of Russia.

''(14) Against the will of the majority of the Belarusian people, Russian President Vladimir Putin has propped up the Alyaksandr Lukashenka regime, including by offering security assistance, providing significant financial support, and sending Russian propagandists to help disseminate pro-regime and pro-Kremlin propaganda on Belarus state television.

''(15) Efforts by the Government of the Russian Federation to subsume Belarus into its sphere of influence and consider Belarus as part of the Russian empire or as a 'Union State' include security, political, economic, and ideological integration between Russia and Belarus, which intensified in 2020 after President Putin supported Mr. Lukashenka's illegitimate election and resulted in the Government of Belarus permitting Russian troops to use Belarusian territory to conduct military exercises ahead of the February 2022 further invasion of Ukraine and staging part of the February 2022 further invasion of Ukraine from Belarusian territory, including by providing Russia with the use of airbases which allowed Russia to shoot artillery and missiles from Belarusian territory into Ukraine.

''(16) The United States Government and United States partners and allies have imposed sanctions on Alyaksandr Lukashenka and the Government of Belarus in response to anti-democratic activities and human rights abuses for more than 20 years, including in response to the Government of Belarus' support for Russia's further invasion of Ukraine, which include property blocking and visa restrictions and export restrictions.

''(17) The Kremlin has provided the Government of Belarus with loans amounting to more than $1,500,000,000 dollars to prop up Lukashenka's illegitimate regime and Russia continues to provide Belarus with access to an economic market to avoid the impacts of United States and allied countries' sanctions on key Belarusian industries.

''(18) The Government of Belarus is relied upon by the Government of the Russian Federation to increase production of ammunition and other military equipment to facilitate the Kremlin's crimes of aggression, war crimes, and crimes against humanity during the illegal war in Ukraine.

''(19) Since before the 2022 further invasion of Ukraine, the Government of Belarus has hosted Russian troops on Belarusian territory and enabled the violation of Ukraine's sovereignty by Russia in February 2022 and since the further invasion of Ukraine, the Government of Belarus has also hosted Russian mercenary fighters and reportedly hosted Russian nuclear warheads.

''(20) The international community has seen credible evidence that children forcibly removed from Ukraine by Russia during the further invasion of Ukraine have transited through the territory of Belarus or been illegally removed to the territory of Belarus with support from Alyaksandr Lukashenka and been subjected to Russian re-education programs.

''(21) The Government of Belarus' continued support of Russia, especially in the unprovoked further invasion of Ukraine, and continued oppression of the Belarusian people may amount to crimes against humanity, war crimes, and the crime of aggression.

''(22) The Government of Belarus also threatens the safety, security, and sovereignty of European countries, including NATO allies Latvia, Lithuania, and Poland, by facilitating illegal migration through the territory of Belarus, resulting in efforts by the United States to support a Customs and Border Patrol Technical Assessment in Latvia to ensure European allies and partners can secure their borders.

''(23) The Government of Lithuania and other United States partners and allies host independent Belarusian free media, including Radio Free Europe/Radio Liberty's Minsk bureau, and facilitate information and content in the Belarusian language, which the Lukashenka regime has dismissed and de-facto outlawed as an inferior language to Russian for the purpose of facilitating Russification campaigns in Belarus.

''(24) The governments of Lithuania, Latvia, Poland, and other European partners host members of the Belarusian pro-democracy movement, including political leaders, free and independent media, and exiled civil society groups and provide essential support to these individuals and groups that make up the Belarus democracy movement.

''(25) The Government of Belarus has further attempted to suppress freedom of movement of Belarusian people and Belarusian diaspora and retaliate against those Belarusians living overseas and who have fled the Lukashenka regime by refusing to provide overseas passport services.

''(26) The International Civil Aviation Organization found that the Government of Belarus committed an act of unlawful interference when it deliberately diverted Ryanair Flight 9478 in order to arrest two Belarusian citizens, including an opposition activist and journalist.

''(27) The Belarus democracy movement has legitimate aspirations for a transatlantic future for the people of Belarus and continue to seek justice for those imprisoned and oppressed by the Lukashenka regime and resist Russian encroachment on Belarusian territory, culture, and identity.''.

SEC. ___03. STATEMENT OF POLICY.

Section 3 of the Belarus Democracy Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note) is amended to read as follows:

''SEC. 3. STATEMENT OF POLICY.

''It is the policy of the United States—

''(1) to condemn the conduct of the August 9, 2020, presidential election and crackdown on opposition candidates, members of the Coordination Council, peaceful protestors, employees from state-owned enterprises participating in strikes, independent election observers, and independent journalists and bloggers;

''(2) to recognize Sviatlana Tsikhanouskaya as the Democratic Leader of Belarus;

''(3) to refuse to recognize Alyaksandr Lukashenka as the legitimately elected leader of Belarus;

''(4) to seek to engage with the United Transitional Cabinet as the executive body that represents the aspirations and beliefs of the Belarusian people and as a legitimate institution to participate in a dialogue on a peaceful transition of power and support its stated objectives of—

''(A) defending the independence and sovereignty of the Republic of Belarus;

''(B) representing the national interests of Belarus;

''(C) carrying out the de-facto de-occupation of Belarus;

''(D) restoring constitutional legality and the rule of law;

''(E) developing and implementing measures to thwart illegal retention of power;

''(F) ensuring the transition of power from dictatorship to democracy;

''(G) creating conditions for free and fair elections in Belarus; and

''(H) developing and implementing solutions needed to secure democratic changes in Belarus;

''(5) to continue to call for the immediate release without preconditions of all political prisoners in Belarus;

''(6) to continue to support the aspirations of the people of Belarus for democracy, human rights, and the rule of law;

''(7) to continue to support actively the aspirations of the people of the Republic of Belarus to preserve the independence and sovereignty of their country and to pursue a Euro-Atlantic future;

''(8) not to recognize any incorporation of Belarus into a 'Union State' with Russia, as this so-called 'Union State' would be both an attempt to absorb Belarus and a step to reconstituting the totalitarian Soviet Union;

''(9) to condemn efforts by the Government of the Russian Federation to undermine the sovereignty and independence of Belarus, and to continue to implement policies, including sanctions, that serve to punish Russia for its anti-democratic and illegal actions involving Belarus;

''(10) to continue to reject the fraudulent victory of Mr. Lukashenka on August 9, 2020, and to support calls for new presidential and parliamentary elections, conducted in a manner that is free and fair according to OSCE standards and under the supervision of OSCE observers and independent domestic observers;

''(11) to continue to call for the fulfillment by the Government of Belarus of Belarus's freely undertaken obligations as an OSCE participating state and as a signatory of the Charter of the United Nations;

''(12) to support an OSCE role in mediating a dialogue within Belarus between the government and genuine representatives of Belarusian society;

''(13) to support international efforts to launch investigations into the Government of Belarus and individuals associated with the Government of Belarus for war crimes and crimes against humanity against the people of Belarus and the people of Ukraine for their actions during the further invasion of Ukraine;

''(14) to support a United States diplomatic presence to engage with the people of Belarus, including the regular appointment of a United States Special Envoy to Belarus until such a time that the credentials of a United States Ambassador to Belarus are recognized by the Government of Belarus;

''(15) to continue to work closely with the European Union, the United Kingdom, Canada, and other countries and international organizations, to promote the principles of democracy, the rule of law, and human rights in Belarus;

''(16) to remain open to reevaluating United States policy toward Belarus as warranted by demonstrable progress made by the Government of Belarus consistent with the aims of this Act, as stated in this section;

''(17) to express concern in the event that social media or technology companies move to block independent media content or participate in media blackouts that prevent free and independent media services from transmitting information into Belarus;

''(18) to continue to support Belarusian language and cultural programs, including by supporting Belarusian language independent media programs, and Belarusian civil society, including efforts to restore democracy and the regular function of democratic institutions in Belarus;

''(19) to work with the Belarusian democratic movement and European allies and partners to ensure Belarusian nationals living outside of Belarus have access to national identification documentation following the Lukashenka regime's decision to stop supplying overseas passport services to Belarusians;

''(20) to provide technical support to the United Transitional Cabinet of Belarus and European allies and partners to develop and implement national identification documents (New Belarusian Passport) that will enable the more than 2,000,000 Belarusians living abroad to access freedom of movement and essential services while maintaining Belarusian national identity and unity;

''(21) to include Belarusian nationals living in Ukraine as of February 24, 2022, in the Uniting For Ukraine program to provide a pathway for Belarusian nations and their immediate family members outside of the United States to come to the United States and stay for a period of not more than two years of parole and subject those Belarusian nationals to the same qualifications for entry into the program as Ukrainian nationals;

''(22) to engage in the United States-Belarus democratic movement strategic dialogue when necessary to reaffirm commitments to promoting freedom and democracy in Belarus and promote efforts to restore free and open presidential and parliamentary elections in Belarus that are conducted consistent with OSCE standards and under the supervision of OSCE observers and independent domestic observers;

''(23) to refuse to recognize the legitimacy of the Lukashenka regime to enter into any international agreements or treaties;

''(24) to advocate for the inclusion of the Belarus democratic movement to participate in international institutions and be granted Permanent Observer Status by the United Nations General Assembly;

''(25) to establish a Belarus service at Voice of America through the United States Agency for Global Media that broadcasts in the Belarusian language;

''(26) to continue to support the Governments of Lithuania, Latvia, and Poland in providing critical support to the Belarusian government, civil society, and media in exile;

''(27) to transfer when applicable existing bilateral funding for Belarus toward sustaining pro-democracy and civil society initiatives outside the territory of Belarus;

''(28) to continue to ban ticket sales for air travel to Belarus until such a time that civilians do not face random arrests by the Government of Belarus, a ban that was enacted following the unlawful actions of the Government of Belarus to deliberately divert Ryanair Flight 9478; and

''(29) to continue to work with international allies and partners to coordinate support for the people of Belarus and their legitimate aspirations for a free, open, and democratic society and the regular conduct of free and fair elections.''.

SEC. ____04. STRATEGIC DIALOGUE WITH THE BELARUS DEMOCRACY MOVEMENT.

(a) STRATEGIC DIALOGUE.—The President shall direct the Secretary of State to host a strategic dialogue with the Belarus Democracy Movement not fewer than once every 12 months following the date of the enactment of this Act.

(b) CENTRAL OBJECTIVE.—The central objective of the strategic dialogue required under subsection (a) is to coordinate and promote efforts—

(1) to consider the efforts needed to return to democratic rule in Belarus, including the efforts needed to support free and fair elections in Belarus;

(2) to support the day-to-day functions of the Belarus Democracy Movement, which represents the legitimate aspirations of the Belarusian people, and ensure that Belarusians living outside the territory of Belarus have adequate access to essential services; and

(3) to respond to the political, economic, and security impacts of events in Belarus and Russia on neighboring countries and the wider region.

(c) TERMINATION.—The strategic dialogue with the Belarus Democracy Movement and the authorities provided by this section shall terminate on the date that is five years after the date of the enactment of this Act.

SEC. ____05. ASSISTANCE TO PROMOTE DEMOCRACY, CIVIL SOCIETY, AND SOVEREIGNTY IN BELARUS.

Section 4 of the Belarus Democracy Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by inserting '', including by establishing a Belarus service at Voice of America to include broadcasts in the Belarusian language'' after ''within Belarus'';

(B) in paragraph (2), by inserting ''in the Belarusian language'' after ''and Internet media'';

(C) by striking paragraphs (11) and (14);

(D) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively;

(E) by inserting after paragraph (2) the following new paragraph:

''(3) countering internet and media censorship and repressive surveillance technology that seeks to limit free association, control access to information, and prevent citizens from exercising their rights to free speech;'';

(F) in paragraph (11), as redesignated by subparagraph (C), by inserting ''and the development of Belarusian cultural programs'' after ''supporting the development of Belarusian language education'';

(G) in paragraph (12), by inserting '', including refugees from Belarus in Ukraine and refugees from Ukraine fleeing Russia's unprovoked war following the February 2022 further invasion of Ukraine'' after ''supporting political refugees in neighboring European countries fleeing the crackdown in Belarus'';

(H) in paragraph (13)—

(i) by inserting ''and war crimes'' after ''human rights abuses''; and

(ii) by striking the semicolon and inserting ''; and''; and

(I) by redesignating paragraph (15) as paragraph (14);

(2) in subsection (f), by striking ''2020'' and inserting ''2024''; and

(3) by striking subsection (g).

SEC. ____06. INTERNATIONAL BROADCASTING, INTERNET FREEDOM, AND ACCESS TO INFORMATION IN BELARUS.

Section 5 of the Belarus Democracy, Human Rights, and Sovereignty Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note) is amended—

(1) in subsection (a)(1), by inserting ''and Voice of America'' after ''Radio Free Europe/Radio Liberty''; and

(2) in subsection (b)(1)—

(A) by striking ''2020'' and inserting ''2024'';

(B) in subparagraph (A) by inserting '', including through social media platforms,'' after ''communications in Belarus''; and

(C) in subparagraph (C) by inserting '', including by ensuring private companies do not comply with media blackouts directed by or favored by the Government of Belarus'' after ''access and block content online''.

SEC. ___07. SANCTIONS AGAINST THE GOVERNMENT OF BELARUS.

Section 6 of the Belarus Democracy, Human Rights, and Sovereignty Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note) is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (2) through (5) as paragraphs (3) through (6), respectively;

(B) by inserting after paragraph (1) the following new paragraph:

''(2) The release of Ukrainian nationals illegally held in Belarus, including those illegally transferred to Belarus after the 2022 Russian further invasion of Ukraine.'';

(C) in paragraph (3), as redesignated by subparagraph (A), by inserting '', and people who protested the support of the Government of Belarus for the further Russian invasion of Ukraine and cooperation of the Government of Belarus with Russia'' after ''August 9, 2020''; and

(D) in paragraph (5), as so redesignated, by inserting '', or for providing support in connection with the illegal further Russian invasion of Ukraine'' after ''August 9, 2020''; and

(2) in subsection (c)—

(A) in the subsection heading, by inserting ''AND THE FEBRUARY, 24, 2022, FURTHER INVASION OF UKRAINE'' after ''ELECTION'';

(B) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively;

(C) by inserting after paragraph (4) the following new paragraph:

''(5) assisted the Government of Belarus in—

''(A) supporting security cooperation with the Government of Russia in advance of the February 24, 2022, further invasion of Ukraine;

''(B) supporting the presence of Russian mercenaries in the territory of Belarus; or

''(C) supporting ongoing security cooperation with the Government of Russia, including the Government of Belarus' decision to host Russian tactical nuclear weapons;''; and

(D) in paragraph (6), as redesignated by subparagraph (B), by inserting '', or in connection with the 2022 Russian further invasion of Ukraine'' after ''August 9, 2020''.

SEC. ___08. MULTILATERAL COOPERATION.

Section 7 of the Belarus Democracy, Human Rights, and Sovereignty Act of 2020 (Public Law 108–347; 22 U.S.C. 5811 note) is amended—

(1) in paragraph (1); by striking ''; and'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (2) the following new paragraphs:

''(3) to condemn the continued collaboration between the Government of Belarus and the Government of Russia, particularly as it relates to the further invasion of Ukraine, and further the purposes of this Act, including, as appropriate, to levy sanctions and additional measures against the Government of Belarus for its complicity in war crimes and crimes against humanity committed in the territory of Ukraine; and

''(4) to provide technical assistance to the Belarus democracy movement on the creation and international recognition of national identity documentation following the Lukashenka regime's decision to cease overseas passport services for Belarusian nationals, with the objective of maintaining Belarusian national identity and unity but providing Belarusians living overseas with freedom of movement and the ability to access essential services.''.

SEC. ___09. PARTICIPATION OF BELARUS IN UNITING FOR UKRAINE.

The Belarus Democracy, Human Rights, and Sovereignty Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note) is amended—

(1) by redesignating sections 8 and 9 as sections 9 and 10, respectively; and

(2) by inserting after section 7 the following new section:

''SEC. 8. PARTICIPATION OF BELARUS IN UNITING FOR UKRAINE.

''(a) SENSE OF CONGRESS.—It is the sense of Congress that—

''(1) there are a significant number of Belarusian nationals residing in Ukraine and suffering from Russian aggression during the further Russian invasion of Ukraine; and

''(2) Belarusian nationals may experience threats to their physical security due to political persecution or retribution or human rights abuses if they return to Belarus.

''(b) UNITING FOR UKRAINE PARTICIPATION.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this section, the Secretary of State and the Secretary of Homeland Security shall provide a pathway for Belarusian nationals living in Ukraine following the February 24, 2022, further invasion of Ukraine to participate in the Uniting for Ukraine program.

''(2) EXCEPTION.—The Secretary of State and the Secretary of Homeland Security may delay implementation of the pathway required under paragraph (1) if they determine that it is counter to United States national security interests.''.

SEC. ___10. REPORTS.

Section 9 of the Belarus Democracy, Human Rights, and Sovereignty Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note), as redesignated by section ___07(1) of this Act, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''2020'' and inserting ''2024''; and

(B) in paragraph (2)—

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

(ii) in subparagraph (H), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new subparagraphs:

''(I) an assessment of how the Government of Russia is working to achieve deeper security cooperation and interdependence or integration with Belarus;

''(J) a description of the Government of Belarus actions to support the 2022 further Russian invasion of Ukraine and ongoing Russian aggression in Ukraine;

''(K) a description of how the Government of Belarus supports, adopts, and deploys Russian disinformation campaigns or Belarusian disinformation campaigns; and

''(L) an identification of Belarusian officials involved in continued support to Russia and the further invasion of Ukraine and an identification of Russian officials involved in continued support to Belarus and the further invasion of Ukraine.'';

(2) in subsection (b)(1)—

(A) by striking ''2020'' and inserting ''2024'';

(B) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

(C) in subparagraph (B), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new subparagraphs:

''(C) an identification of efforts by the Government of Belarus and the Government of Russia to circumvent sanctions, including those imposed by the United States in response to the further invasion of Ukraine;

''(D) an assessment of the shared assets and business interests of Vladimir Putin and Alyaksandr Lukashenka and the Government of Belarus and the Government of Russia; and

''(E) a determination on the possibility for Belarus to host free and fair elections during the parliamentary elections scheduled for 2024 and the presidential election scheduled for 2025, including a proposal of how the United States may support a return to democracy in the anticipated elections in Belarus.''; and

(3) by adding at the end the following new subsection:

''(c) REPORT ON EFFORTS TO ENABLE BELARUSIANS LIVING OUTSIDE THE TERRITORY OF BELARUS TO TRAVEL FREELY.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the Belarus Democracy, Human Rights, and Sovereignty Act of 2024, the Secretary of State, in coordination with the Secretary of Homeland Security, shall submit to the appropriate congressional committees a report describing efforts to provide Belarusians living outside the territory of Belarus with national identification documents.

''(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

''(A) An assessment of the European Union's efforts to provide Belarusians living overseas with national identification documents that maintain Belarusian nationality but enable Belarusians living overseas to travel freely and access essential services.

''(B) A description of efforts to provide technical assistance to the Belarus democratic movement on the creation of national identification documents that fulfill the needs described in subparagraph (A).

''(3) FORM.—The report required by this subsection shall be transmitted in unclassified form but may contain a classified annex.''.

SEC. ___12. DEFINITIONS.

Section 10(1)(B) of the Belarus Democracy Act of 2004 (Public Law 108–347; 22 U.S.C. 5811 note), as redesignated by section ___09(1) of this Act, is amended by striking ''Committee on Banking, Housing, and Urban Affairs'' and inserting ''the Committee on Homeland Security and Governmental Affairs''.

SA 2244. Mrs. SHAHEEN (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, insert the following:

SEC. 1095. PFAS HEALTH EFFECTS ASSESSMENT, RECOMMENDATIONS, AND GUIDANCE.

(a) PERIODIC ASSESSMENT AND RECOMMENDATIONS.—

(1) AGREEMENT.—The Director of the Agency for Toxic Substances and Disease Registry (in this section referred to as the ''Director'') shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (or another appropriate entity if the National Academies declines to enter into such agreement) under which the National Academies or the other appropriate entity agrees—

(A) to assess the health effects of per- and polyfluoroalkyl substances (in this section referred to as ''PFAS'') that can be measured in human tissues;

(B) to formulate clinical recommendations on addressing such health effects;

(C) not later than 2 years after the date of entry into such agreement, to complete the initial assessment under subparagraph (A) and formulate the initial recommendations under subparagraph (B); and

(D) to update the most recent assessment and recommendations under this paragraph—

(i) every 5 years; or

(ii) more frequently as determined necessary by the Director based on an assessment of the science.

(2) CONSULTATION.—In carrying out the assessments under paragraph (1), the National Academies of Sciences, Engineering, and Medicine or other appropriate entity shall engage with PFAS exposed communities and solicit input from members of such communities regarding their experiences with PFAS exposure, testing, and clinical follow-up.

(3) TIMING OF ENTRY INTO AGREEMENT.—The Director shall enter into the agreement required by paragraph (1) not later than 60 days after the date of enactment of this Act.

(b) UP-TO-DATE GUIDANCE.—Based on the results of the most recent assessment and recommendations under subsection (a), the Director, in consultation with the entity with which the Director enters into the agreement under subsection (a), shall—

(1) not later than 5 years after the date of entry into the agreement required by subsection (a)—

(A) issue up-to-date clinical guidance on addressing the health effects of PFAS;

(B) post such guidance on the public website of the Agency for Toxic Substances and Disease Registry; and

(C) disseminate such guidance to State and local public health authorities and appropriate health care professionals; and

(2) every 5 years thereafter, or more frequently as determined necessary by the Director based on an assessment of the science, issue, post, and disseminate up-to-date guidance as described in paragraph (1).

SA 2245. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title X, add the following:

SEC. 1095. EXPANSION OF SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR PERSONNEL UNDER CHIEF OF MISSION AUTHORITY.

Section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (22 U.S.C. 2680b) is amended—

(1) in subsection (e)—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by striking ''of a'' and inserting ''of an''; and

(ii) by striking ''January 1, 2016'' and inserting ''September 11, 2001'';

(B) in paragraph (2), by striking ''January 1, 2016'' and inserting ''September 11, 2001''; and

(C) in paragraph (3), in the matter preceding subparagraph (A), by striking ''January 1, 2016'' and inserting ''September 11, 2001''; and

(2) in subsection (h)(1)—

(A) in subparagraph (A), by striking ''January 1, 2016'' and inserting ''September 11, 2001''; and

(B) in subparagraph (B), by striking ''January 1, 2016'' and inserting ''September 11, 2001''.

SA 2246. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. REPORT ON NAVAL WARFARE CENTERS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the state of the 15 Naval Warfare Centers of the Department of the Navy, including—

(1) the material condition of the facilities;

(2) hiring and retention at the facilities as of the date of the report; and

(3) a plan to remain relevant, competitive, and technically advanced through 2050, including any additional resources required.

SA 2247. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII, insert the following:

SEC. 1291. MODIFICATION OF TERMINATION OF SANCTIONS RELATING TO TURKEY'S ACQUISITION OF S–400 AIR DEFENSE SYSTEM.

Section 1241(e)(1) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 22 U.S.C. 9525 note) is amended by striking ''possesses'' and inserting ''operates''.

SA 2248. Mr. WELCH (for Ms. KLOBUCHAR) proposed an amendment to the bill S. 412, to provide that it is unlawful to knowingly distribute private intimate visual depictions with reckless disregard for the individual's lack of consent to the distribution, 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 ''Stopping Harmful Image Exploitation and Limiting Distribution Act of 2023'' or the ''SHIELD Act of 2023''.

SEC. 2. CERTAIN ACTIVITIES RELATING TO INTIMATE VISUAL DEPICTIONS.

(a) IN GENERAL.—Chapter 88 of title 18, United States Code, is amended by adding at the end the following:

''§ 1802. Certain activities relating to intimate visual depictions

''(a) DEFINITIONS.—In this section:

''(1) COMMUNICATIONS SERVICE.—The term 'communications service' means—

''(A) a service provided by a person that is a common carrier, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153), insofar as the person is acting as a common carrier;

''(B) an electronic communication service, as that term is defined in section 2510;

''(C) an information service, as that term is defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153); and

''(D) an interactive computer service, as that term is defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

''(2) INFORMATION CONTENT PROVIDER.—The term 'information content provider' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)).

''(3) INTIMATE VISUAL DEPICTION.—The term 'intimate visual depiction' means any visual depiction (as that term is defined in section 2256(5)) of an individual—

''(A) who has attained 18 years of age at the time the intimate visual depiction is created;

''(B) who is recognizable to a third party from the intimate image itself or information or text displayed in connection with the intimate image itself or information or text displayed in connection with the intimate image; and

''(C)(i) who is depicted engaging in sexually explicit conduct; or

''(ii) whose genitals, anus, pubic area, or female nipple are unclothed and visible.

''(4) MINOR.—The term 'minor' has the meaning given that term in section 2256.

''(5) SEXUALLY EXPLICIT CONDUCT.—The term 'sexually explicit conduct' has the meaning given that term in section 2256(2)(A).

''(6) VISUAL DEPICTION OF A NUDE MINOR.—The term 'visual depiction of a nude minor' means any visual depiction (as that term is defined in section 2256(5)) of an individual who is recognizable by an individual other than the depicted individual from the intimate image itself or information or text displayed in connection with the intimate image who was under 18 years of age at the time the visual depiction was created in which the actual anus, genitals, or pubic area, or post-pubescent female nipple, of the minor are unclothed, visible, and displayed in a manner that does not constitute sexually explicit conduct.

''(b) OFFENSES.—

''(1) IN GENERAL.—Except as provided in subsection (d), it shall be unlawful to knowingly mail, or to knowingly distribute using any means or facility of interstate or foreign commerce or affecting interstate or foreign commerce, an intimate visual depiction of an individual—

''(A) that was obtained or created under circumstances in which the actor knew or reasonably should have known the individual depicted had a reasonable expectation of privacy;

''(B) where what is depicted was not voluntarily exposed by the individual in a public or commercial setting;

''(C) where what is depicted is not a matter of public concern; and

''(D) if the distribution—

''(i) is intended to cause harm; or

''(ii) causes harm, including psychological, financial, or reputational harm, to the individual depicted.

For purposes of this paragraph, the fact that the subject of the depiction consented to the creation of the depiction shall not establish that that person consented to its distribution.

''(2) INVOLVING MINORS.—Except as provided in subsection (d), it shall be unlawful to knowingly mail, or to knowingly distribute using any means or facility of interstate or

foreign commerce or affecting interstate or foreign commerce, a visual depiction of a nude minor with intent to abuse, humiliate, harass, or degrade the minor, or to arouse or gratify the sexual desire of any person.

''(c) PENALTY.—

''(1) IN GENERAL.—

''(A) VISUAL DEPICTION OF A NUDE MINOR.—Any person who violates subsection (b)(2) shall be fined under this title, imprisoned not more than 3 years, or both.

''(B) INTIMATE VISUAL DEPICTION.—Any person who violates subsection (b)(1) shall be fined under this title, imprisoned for not more than 2 years, or both.

''(2) FORFEITURE.—

''(A) IN GENERAL.—The court, in imposing a sentence on any person convicted of a violation involving intimate visual depictions or visual depictions of a nude minor under this section, or convicted of a conspiracy of a violation involving intimate visual depictions or visual depictions of a nude minor under this section, shall order, in addition to any other sentence imposed and irrespective of any provision of State law, that such person forfeit to the United States—

''(i) any material distributed in violation of this section;

''(ii) such person's interest in property, real or personal, constituting or derived from any gross proceeds of such violation, or any property traceable to such property, obtained or retained directly or indirectly as a result of such violation; and

''(iii) any personal property of the person used, or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation.

''(B) PROCEDURES.—Section 413 of the Controlled Substances Act (21 U.S.C. 853), with the exception of subsections (a) and (d), applies to the criminal forfeiture of property pursuant to subparagraph (A).

''(3) RESTITUTION.—Restitution shall be available as provided in section 2264 of this title.

''(d) EXCEPTIONS.—

''(1) LAW ENFORCEMENT, LAWFUL REPORTING, AND OTHER LEGAL PROCEEDINGS.—This section—

''(A) does not prohibit any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or of an intelligence agency of the United States; and

''(B) shall not apply to distributions that are made reasonably and in good faith—

''(i) to report unlawful or unsolicited activity or in pursuance of a legal or professional or other lawful obligation;

''(ii) to seek support or help with respect to the receipt of an unsolicited intimate visual depiction;

''(iii) relating to an individual who possesses or distributes a visual depiction of himself or herself engaged in nudity or sexually explicit conduct;

''(iv) to assist the depicted individual;

''(v) for legitimate medical, scientific, or educational purposes; or

''(vi) as part of a document production or filing associated with a legal proceeding.

''(2) SERVICE PROVIDERS.—This section shall not apply to any provider of a communications service with regard to content provided by another information content provider unless the provider of the communications service intentionally solicits, or knowingly and predominantly distributes, such content.

''(e) THREATS.—Any person who intentionally threatens to commit an offense under subsection (b) for the purpose of intimidation, coercion, extortion, or to create mental distress shall be punished as provided in subsection (c).

''(f) EXTRATERRITORIALITY.—There is extraterritorial Federal jurisdiction over an offense under this section if the defendant or the depicted individual is a citizen or permanent resident of the United States.

''(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the application of any other relevant law, including section 2252 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 88 of title 18, United States Code, is amended by inserting after the item relating to section 1801 the following:

''1802. Certain activities relating to intimate visual depictions.''.

(c) CONFORMING AMENDMENT.—Section 2264(a) of title 18, United States Code, is amended by inserting '', or under section 1802 of this title'' before the period.

NOTICE OF INTENT TO OBJECT

I, Senator RON WYDEN, intend to object to proceeding to S. 3314, a bill to require certain interactive computer services to adopt and operate technology verification measures to ensure that users of the platform are not minors, and for other purposes, dated July 10, 2024.

AUTHORITY FOR COMMITTEES TO MEET

Mr. WELCH. Madam President, I have ten requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 2:30 p.m., to conduct a subcommittee hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, 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 Wednesday, July 10, 2024, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 2:15 p.m., to conduct a classified briefing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 10 a.m., to conduct a hearing on nominations.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, July 10, 2024, at 2:30 p.m., to conduct an open hearing.

ORDERS FOR THURSDAY, JULY 11, 2024

Mr. WELCH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Thursday, July 11.

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

Mr. WELCH. For the information of the Senate, during Thursday's session, we expect Senator CRUZ to make a motion to discharge S.J. Res. 89 from the Foreign Relations Committee. We also expect to vote on confirmation of the Meriweather nomination.

RECESS UNTIL 10 A.M. TOMORROW

Mr. WELCH. 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 6:53 p.m., recessed until Thursday, July 11, 2024, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 10, 2024:

THE JUDICIARY

DANNY LAM HOAN NGUYEN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

CHARLES J. WILLOUGHBY, JR., OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, WILLIAM M. JACKSON, RETIRED.

FEDERAL LABOR RELATIONS AUTHORITY

ANNE MARIE WAGNER, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2029.